

# **ATTACHMENTS**

**UNDER SEPARATE COVER 2**

**Ordinary Council Meeting**

**28 May 2024**

---

## Table of Contents

---

5.1	Adoption and Approval of Plan Change 38 and 40-43 Decisions for Notification	
	Attachment 5	Report 5 - Decision on Plan Change 42 (General Rural and Rural Lifestyle) .....3
	Attachment 6	Report 5 Appendix Two, 42a Responses to Submissions .....203
	Attachment 7	Report 5 Appendix Six, Decision on Submission 74 .....334

## Taupō District Council

### Recommendations of the Independent Hearings Panel

## Recommendation Report 5

### Plan Change 42: General Rural and Rural Lifestyle Environments

8 May 2024

This report should be read in conjunction with the **Index Report** and **Recommendation Report 2 Strategic Directions**

The **Index Report** contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports and a record of all Panel Minutes. It does not contain any recommendations *per se*.

**Recommendation Report 5** contains the Panel's recommendations on Plan Change 42.

**This Recommendation Report contains the following appendices:**

- Appendix 1:** Schedule of attendances
- Appendix 2:** 42a Report Summary table of recommendations on each submission point
- Appendix 3:** Recommended amendments to Plan Change 42 - Tracked from notified version (provisions not consequentially renumbered)
- Appendix 4:** Recommended amendments to Plan Change 42 provision wording - Accepted (including mapping amendments)
- Appendix 5:** Individual zoning request evaluations
- Appendix 6:** Panel recommendation on Submitter 074 Rezoning Request

The Hearings Panel for the purposes of hearing submissions and further submissions on PC42 comprised Commissioner David McMahon (Chair), Commissioners Elizabeth Burge and Councillor Kevin Taylor

**Contents**

---

1 Introduction.....3

2 Summary of provisions and key issues.....7

3 Evaluation Overview ..... 12

4 Evaluation of key issues ..... 13

5 Statutory Considerations ..... 43

6 Conclusion ..... 47

APPENDIX 1: Schedule of attendances ..... 48

APPENDIX 2: Section 42a Report recommendations on each submission point. .... 53

APPENDIX 3: Recommended amendments to Plan Change 42 – Tracked from notified version 54

APPENDIX 4: Recommended amendments to the Proposed Plan provision wording (including mapping amendments) - Accepted. .... 135

APPENDIX 5: Individual zoning request evaluations ..... 175

APPENDIX 6: Panel recommendation on Submitter 074 Rezoning Request ..... 200

## Recommendation Report 5

### Plan Change 42: General Rural and Rural Lifestyle Environments

#### 1 Introduction

##### Report outline and approach

- 1.1 This is **Report 5**; it is one of six Recommendation Reports in addition to an overarching Index Report prepared by the Hearings Panel appointed to hear and make recommendations on submissions to Bundle One incorporating six Plan Changes to the Taupō District Plan (TDP). The full background to Bundle One Plan Changes is provided in the **Index Report**.<sup>1</sup>
- 1.2 This report considers the provisions and records our recommendations relating to Plan Change 42: General Rural and Rural Lifestyle Environments (**PC42**) which seeks to delete the 'Rural Environment' Chapter 3b and 4b and replace them in their entirety to provide for two distinct rural zonings and associated provisions and map for:
- a. 'General Rural Environment' zone
  - b. 'Rural Lifestyle Environment' zone
- 1.3 The relevant provisions of **PC42**, as notified are as follows:

Chapter	PC42 provisions
3b Rural Environment Chapter	<i>Chapter 3b – Rural Environment Chapter</i> <i>3b.1 Introduction</i>
4 Rules and Standards	<i>3b.2 Objectives and Policies - General Rural Environment</i> Objectives 3b.2.1- 3b.2.8 Policies 3b.2.9 - 3b.2.17  <i>3b.3 Objectives and Policies – Rural Lifestyle Environment</i> Objectives 3b.3.1- 3b.3.8 Policies 3b.3.9 - 3b.3.14  <i>Chapter 4 Rules and Standards</i> 4b Rural Environment 4b.1 General Rules – General Rural Environment Rules 4b.1.1- 4b.1.10  4b.2 Performance Standards – General Rural Environment Performance standards 4b.2.1 – 4b.2.15  4b.3 General Rules – Rural Lifestyle Environment

<sup>1</sup> Index Report

Chapter	PC42 provisions
	<p>Rules 4b.3.1- 4b.3.7</p> <p>4b.4 Performance standards – Rural Lifestyle Environment Performance standards 4b.4.1 – 4b.4.15</p> <p>4b.5 Subdivision Rules Rules 4b.5.1 – 4b.5.9</p> <p><i>Definitions</i></p> <ul style="list-style-type: none"> <li>• Amend 'Bonus Lot'</li> <li>• Insert new 'Buildings for the management of farmed animal'</li> <li>• Insert new 'Intensive indoor primary production'</li> <li>• Insert new 'Nominated Significant Natural Area'</li> <li>• Insert new 'Stock Proof Fence'</li> <li>• Replace 'Papakāinga'</li> <li>• Insert new 'Rural Industry'</li> </ul> <p><i>Planning Maps</i></p> <p>Insert new General Rural Environment Zone Insert new Rural Lifestyle Environment Zone Delete Rural Environment Zone Delete the Mapara Valley Environment structure plan overlay and zone.</p>

1.4 We have structured our discussion on this topic as follows:

**Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions, and regulatory updates;

**Sections 3 – 4** contains our evaluation of key issues and recommended amendments to provisions and mapping; and

**Section 5** – contains our Statutory Evaluation; and

**Section 6** contains our conclusions

1.5 This Recommendation Report contains the following appendices:

**Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.

**Appendix 2: s42A Report Summary table of recommendations on each submission point.** This is the Council's s42A Report table containing recommendations on each submission, commonly referred to as the accept/reject table. The Council, upon receipt of the Panel's recommendations, has decided not to update the s42A table to reflect the Panel's recommendation/Council's decisions.

Instead, the Council records that the Panel has accepted all those recommendations in the s42A Report table except as otherwise identified in this decision and as noted in Appendix 3 (recommended provisions) to this decision. It should be noted that there were also changes in recommendations following the s42A Report and through the hearing process. These recommendations and the associated changes are outlined within the s42A Reply Statement and ultimately culminated in Appendix 3 in the recommended provisions.

**Appendix 3: Recommended amendments to Plan Change 42 – Tracked from notified version.** This sets out the final amendments we recommend be made to PC42 provisions. The amendments show the specific wording of the amendments we have recommended and are shown in a 'tracked change' format showing changes from the notified version of PC42 for ease of reference.

Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term 'new' and deleted provisions are shown as struck out, with no subsequential renumbering in either case. The colour coding used for the different rule status has not been changed. In this version where a list is included within a particular whole provision, and items have been added or deleted from a list the numbering does, however, run as sequential.

**Appendix 4: Recommended amendments to the Proposed Plan provision wording (including mapping amendments) - Accepted.** This accepts all the changes we have recommended to the provision wording from the notified version of the PC42 as shown in Appendix 3 and includes consequential renumbering of provisions to take account of those provisions that have been deleted and new provisions we have recommended. This also includes recommended mapping amendments.

**Appendix 5: Individual zoning request evaluations.** This provides our assessment of each unique rezoning request.

**Appendix 6: Panel recommendation on Submitter 074 Rezoning Request.** This provides the Panels full evaluation in relation to the submission, hearing and evidence of Submitter OS074.

- 1.6 The requirements in clause 10 of the First Schedule of the Act and section 32AA are relevant to our considerations of the submissions to PC42 provisions. These are outlined in full in the **Index Report**. In summary, these provisions require among other things:
- a. our evaluation to be focused on changes to the proposed provisions arising since the notification of PC42 and its s32 reports;
  - b. the provisions to be examined as to whether they are the most appropriate way to achieve the objectives;
  - c. as part of that examination, that:
    - i) reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
    - ii) the efficiency and effectiveness of the provisions is assessed;

- iii) the reasons for our recommendations are summarised; and
  - iv) our report contains a level of detail commensurate with the scale and significance of the changes recommended.
- 1.7 We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA evaluations attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
- 1.8 A fuller discussion of our approach in this respect is set out in the **Index Report**.

## 2 Summary of provisions and key issues

### Outline of matters addressed in this section

- 2.1 In this section we provide relevant context around which our evaluation is based, including:
- a. summary of relevant provisions;
  - b. themes raised in submissions;
  - c. identification of key issues for our subsequent evaluation; and
  - d. summary of key legislative changes since notification of the PC42.

### Summary of Relevant provisions

- 2.2 As indicated in paragraph 1.2 of this Recommendation Report, the relevant provisions we address relate to PC42: General Rural and Rural Lifestyle Environments. The s42A Report sets out that under the TDP, the entirety of the rural portion of the district was within the Rural Environment, with each subdivision application addressed on a case-by-case basis, which led to the Rural Environment coming under significant pressure from ad hoc lifestyle subdivision, which essentially undermined the intended use of the Rural Environment for rural productive purposes.<sup>2</sup>
- 2.3 In response, PC42 seeks to replace the existing Rural Environment chapter of TDP with the General Rural and Rural Lifestyle Environments Chapter. The replacement chapter introduces two new zones, the General Rural Environment Zone (**GRE**) and the Rural Lifestyle Environment Zone (**RLE**), and associated objectives, policies, rules, and performance standards for each zone. It also seeks to introduce specific subdivision rules for the RLE and GRE zones. Furthermore, it seeks consequential amendments to the definitions chapter and planning maps.
- 2.4 The 42A Report for PC42 states that within the introductions for the two distinct environments, the separation highlights the need to preserve the productive potential of the land and other natural resources of the Rural Environment and its production values, while also meeting demand for rural lifestyle living in specific locations (within the RLE), whilst being more restrictive of this in the GRE.<sup>3</sup>
- 2.5 Accordingly, the key changes of PC42 are:
- Deletion of the existing TDP Rural Environment sections and replacement with new provisions
  - Creating a new RLE and a new GRE
  - Removal of the Mapara Valley Structure Plan, Mapara Valley Environments and associated provisions
  - Formulation of a separate set of objectives and policies for the RLE and for GRE
  - More flexible papakāinga provisions.

---

<sup>2</sup> S42A Report, PC42, prepared by Craig Sharman, para 17, page 7, dated 28 July 2023

<sup>3</sup> S42A Report, PC42, prepared by Craig Sharman, para 21, page 7, dated 28 July 2023

2.6 The overall purpose of PC42 is to:

- Prevent the urbanisation of the rural environment
- Protect functional activities within the rural environment
- Consolidate rural lifestyle opportunities within existing areas
- Ensure that the district plan allows for appropriate and sustainable alternatives to farming

2.7 The following sets out the specific provisions relating to each of the proposed zones:

*General Rural Environment (GRE)*

2.8 The overall intent of the GRE is to provide for a 'working rural environment' in recognition of the presence of geothermal electricity generation plant, rural industry, quarries and other (effects-generating) resource user land use activities.<sup>4</sup>

2.9 As notified, a total of over 6000 km<sup>2</sup> of Rural Environment was proposed to be rezoned as GRE.

2.10 The key provisions for the GRE as notified is to provide for the subdivision of lots 10 hectares or larger as controlled activities, with subdivisions of lots smaller than 10 hectares being a non-complying activity. Other provisions include the rules such as maximum coverage of 10% and minimum setback from boundaries for residential units being 30m from the front boundary, with 15m from all other boundaries or 25m where it is located within an Outstanding Landscape Area. Where there is a building for the management of farmed animals, the setback requirement proposed is 200m.

*Rural Lifestyle Environment (RLE)*

2.11 The overall intent of the RLE is to provide for smaller allotment sizes of two hectares or four hectares (dependent on whether sharing a boundary with the GRE) and provide for a different mix of rural land uses in recognition of the already different established character of the RLE (given these locations were identified based on analysis of unique requests of small lot sizes within the wider rural environment of the district).<sup>5</sup>

2.12 As notified, a total of approximately 469 properties, covering approximately 2400 ha, was proposed to be rezoned from GRE to RLE.

2.13 The Section 32 Evaluation<sup>6</sup> stated that the zoning of existing areas for rural lifestyle was selected on the following basis that:

- The National Planning Standards promote a rural lifestyle zone
- Taupō currently has significant areas of rural lifestyle that are operating under general rural provisions
- A shortage of rural lifestyle blocks was identified by the Property Economics Rural Lifestyle Report 2019
- It is difficult to provide additional supply in a coordinated way without rezoning land to Rural Lifestyle zone
- There is potential for inappropriate planning outcomes trying to manage two different environments under one set of provisions
- There is a need to manage the fragmentation of the general rural environment
- It is difficult to provide additional supply of rural lifestyle without splitting this out from the general rural environment<sup>7</sup>

<sup>4</sup>S42A Report, PC42, prepared by Craig Sharman, para 24, page 8, dated 28 July 2023

<sup>5</sup>S42A Report, PC42, prepared by Craig Sharman, para 24, page 8, dated 28 July 2023

<sup>6</sup>S32 Evaluation, PC42, undated

<sup>7</sup>S32 Evaluation, PC42, undated, page 38.

- 2.14 A set of seven criteria was formulated to select the rural lifestyle clusters, which was set out in the s32 Evaluation as:
- a. There is a presence or existing clusters of smaller/lifestyle lots
  - b. Areas have not been selected where there are physical constraints such as topography, geography or infrastructure
  - c. Rural Lifestyle zoning will only be applied to lots smaller than 30ha (unless completely surrounded by smaller rural lifestyle blocks)
  - d. Overlays such as Outstanding Natural Landscapes will be taken into account.
  - e. Proximity to Taupō township
  - f. Rural lifestyle zoning will not be applied where properties are accessed from State Highways
  - g. Properties subject to the D1 Geothermal Rule have been excluded.
- 2.15 The above criteria have played a key factor in our evaluation, particularly with regards to the additional rezoning requests by submitters, which is covered in **Issue 3** below.
- 2.16 A key provision in the RLE is a rule that provides for minimum lot sizes of 4ha, where a site adjoins a GRE site and 2ha where it does not adjoin the GRE. The key difference for the setback requirements for dwellings or minor residential units in the RLE from the GRE is a 50m setback where the site adjoins the GRE.

#### Themes Raised in Submissions

- 2.17 As detailed in the s42A Report, a total of 94 submissions covering 874 submission points<sup>8</sup> and 27 further submissions were received.
- 2.18 The key matters raised in the submissions related to the following:
- a. The location of zoning boundaries between general rural and rural lifestyle
  - b. Reverse sensitivity effects and the range of land uses that should be provided for and enabled (and not provided for) within the rural environment
  - c. The inclusion of a suite of rural specific definitions and the interaction with National Planning Standards
  - d. Various detailed matters with performance standards, activity status for activities and wording of objectives, policies and rule provisions
  - e. Recognition of regional and national planning documents
  - f. Recognition of Te Kaupapa Kaitiaki and Te Tiriti o Waitangi
  - g. Specific rezoning requests
- 2.19 In addition to the above, Submission OS74 (Steve Hawkins) expressed opposition to the provisions of PC42 on the basis that they did not reflect the Council's obligations under the NPS-HPL that only Class 1 to 3 land should be protected by virtue of a non-complying activity status for subdivision. The submission was also opposed to the application of a GRE Zone on a site located at 387 Whakaroa Road comprising of a 344 ha. block of land accessed via Whakaroa Road and located on an elevated promontory on the northern edge of Lake Taupō between Taupō and Kinloch. As part of the relief requested, the submitter sought a RLE Zone over the entirety of the site.
- 2.20 The original submission drew one further submission in opposition to the relief sought. This further submission, from Waikato Regional Council, opposed the requested RLE rezoning due to the potential for land fragmentation, loss of productive capacity, increased greenhouse gas emissions, and transport and infrastructure concerns.<sup>9</sup>

<sup>8</sup>S42A Report, PC42, prepared by Craig Sharman, para 59, page 15, dated 28 July 2023

<sup>9</sup>FS212.12

- 2.21 The submission resulted in several directions issued by the Panel and expert conferencing between the submitter and council's experts. The hearing of evidence occupied an entire day of the proceedings. The issues raised included scope and merit assessments and given the bespoke nature of the submission the Panel decided that the submission would be best addressed in a separate addendum to this recommendation report on PC42. Accordingly, our recommended decision is contained in **Appendix 6** to this report.

#### Identification of key issues for our subsequent evaluation

- 2.22 We have organised the key issues to emerge from the submissions as set out above in paragraph 2.18 a-g into categories which relate to our sections of the evaluation below, that are consistent with the way the s42A Reporting Officer organised their report<sup>10</sup>. Accordingly, Section 4 of this report is organised as follows:

#### Zone Provisions

- a. Various detailed matters with performance standards, activity status for activities and wording of objectives, policies and rule provisions
- b. Reverse sensitivity effects and the range of land uses that should be provided for and enabled (and not provided for) within the rural environment
- c. The inclusion of a suite of rural specific definitions and the interaction with National Planning Standards

#### Mapping

- d. The location of zoning boundaries between general rural and rural lifestyle

#### Specific Rezoning Requests

- e. A total of 124 individual sites requested rezoning by 32 submitters. The majority of these requests were to 'up zone' from General Rural to Rural Lifestyle. The 124 zone request sites, were made up of the following:
  - Individual site from a single submitter
  - Individual site from multiple submitters
  - Multiple sites from one submitter
  - Multiple sites from multiple submitters
- f. For effective and efficient evaluation purposes and to reduce duplication of evaluation, we have grouped the submissions or sites or where the sites adjoin or are in close proximity and have commonality in the nature of the zoning request, or where there was a single site request from multiple submitters.
- g. **Table 1** below sets out how we have grouped these requests and assigned them with a unique request identifier number. This resulted in 11 'grouped' requests and 15 individual requests, with a combined total of **26** unique requests that we have established for our evaluation purposes.

#### General Matters

- h. Recognition of regional and national planning documents
- i. Recognition of Te Kaupapa Kaitiaki and Te Tiriti o Waitangi

- 2.23 Some of these matters feature more prominently than others in our evaluation below, but we record that all submissions on the provisions relating to General Rural and Rural Lifestyle Environments chapter have been taken into account in our deliberations.

<sup>10</sup>S42A Report, PC42, prepared by Craig Sharman, para 61, page 15, dated 28 July 2023

- 2.24 In general, submissions in support of PC42 have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in Appendix 1 of the s42A Report and written Replies, which are available on the Council's website.

#### Summary of key legislative change since notification of PC42

- 2.25 Of relevance to the General Rural and Rural Lifestyle Environments chapter is the introduction the National Policy Statement on Highly Productive Land 2022 (**NPS-HPL**), which came into effect on 17 October 2022, three days after PC42 was publicly notified but before the initial submission period closed on 16 December 2022.
- 2.26 There were two submissions<sup>11</sup> received in relation to **NPS-HPL**.
- 2.27 The further submissions period on PC42 ran from 17 March to 7 April 2023, several further submissions were received seeking that the plan change align with the intent of the **NPS-HPL** in particular (which had been promulgated by then), those relief requests are not valid due to the limitation in clause 8 of the First Schedule that further submissions can only be made in support of or in opposition to an original submission.
- 2.28 The National Policy Statement for Indigenous Biodiversity (**NPS-IB**) was gazetted on 7 July 2023 and came into force on 4 August 2023. All local authorities are required to give effect to it as soon as possible. Given that NPS-IB came into force prior to the hearing of PC42, it is a relevant matter for our decision-making.
- 2.29 Under the NPS-IB local authorities must identify and protect areas of high biodiversity values. We were advised that in order to give effect to this, the Waikato Regional Council (WRC) will undertake a regional mapping exercise in collaboration with territorial authorities, but in the interim the WRC will publicly notify any changes to their policy statements and plans that are necessary to give effect to the NPS-IB within eight years after the commencement date, and for provisions for Significant Natural Areas (SNAs), within five years of the commencement date.
- 2.30 Although the identification of SNAs is outside of the scope of PC42, it is a relevant consideration in relation to the Rural Environment subdivision and 'bonus lot' provisions where an SNA is being protected via a covenant as part of a subdivision process. Therefore, we consider there is limited relevance of the NPS-IB to PC42 decision-making.

---

<sup>11</sup> Submitter 26 and 74

### 3 Evaluation Overview

#### Preamble

3.1 Before we set out our evaluation, it is vital to outline several salient overarching matters that have been a critical starting point to our decision making. These relate to the following two matters, which we canvas in more detail below:

- *Strategic Directions*
- *Issue of Scope*

#### *Strategic Directions*

3.2 Both the Issues and Options<sup>12</sup> and the s32 Evaluation identified that Taupō District 2050 (**TD2050 2018**) which “provides clear direction for managing rural land in the Taupō District”.<sup>13</sup>

3.3 In our recommendation **Report 2** dealing with Plan Change 38: Strategic Directions (**PC38**), we acknowledged that TD2050 2018 is an appropriate consideration at a s32 level, however we also acknowledged the introduction of the Strategic Directions Chapter by PC38, which provides for a more nuanced direction regarding growth in the district and resolves any outdated codified elements of TD2050 2018. Therefore, we are very clear that we are not relying on TD2050 2018 to guide our recommendations, instead we are relying on the Strategic Directions as amended by the Panel, which are set out in full detail in **Report 2**.<sup>14</sup>

#### *Issue of Scope*

3.4 As set out above in paragraph 2.22, there were 124 sites, conglomerated into a total of 26 unique requests.

3.5 One of those 26 requests (Request No: 10 – refer to **Table 1** below) sought for rezoning from Submitter #74 (Steve Hawkins) resulted in a substantial amount of correspondence between July-September 2023. This correspondence included expert conferencing, legal advice and a contested, substantive hearing. Given the voluminous nature of both the evidence and specific hearing, the assessment on this request is contained within **Appendix 6**.

3.6 The matter of scope for the additional rezoning request was highlighted through Submitter #74. Council sought legal advice<sup>15</sup> on the following two matters:

- a. Are the additional rezoning requests within the scope of PC42; and
- b. Is the further submission relief sought by Submitter #74 beyond the scope of the original relief.

3.7 Although the legal advice sought was specifically in relation to Submitter #74, a. above was directly applicable to all rezoning requests. This is an important matter for us to clarify. Initially, Mr Sharman’s s42A Report provided a high level assessment of the additional zoning requests that were lodged by original submissions as ‘in scope’ and analysis of how these sites did not meet the seven RLE selection criteria<sup>16</sup>. Mr Sharman returned to this matter in his Reply Statement and stated that:

<sup>12</sup>Taupō District Plan Review – Issues and Options Report: Rural Section’

<https://www.taupodc.govt.nz/repository/libraries/id:25026fn3317a9slqygyim/hierarchy/Council/Consultation/District%20Plan%20Changes%2038-43/Submission%2074%20Other/Attachment%204%20Issues%20and%20Options%20report%20Rural%20Environment.pdf>

<sup>13</sup>s32 Evaluation Report, PC 42, page 18, undated.

<sup>14</sup>Report 2, paragraphs 7.16-7.38, pages 22-26

<sup>15</sup>Legal advice provided to Council by James Winchester, dated 14 August and 1 September 2023

<sup>16</sup>s42a prepared by Mr Sharman, Section 5.7, paras 88-93, dated 28 July 2023

*"I consider the available scope to be whether the property be included within GRE or RLE, and to be about the activity status of the plan provisions that apply to the property. Both Council and submitter 74 representatives concur that the submission is 'on the plan change' and I concur with that view."<sup>17</sup>*

- 3.8 On this basis, the Panel requested that Mr Sharman provide a full analysis of the additional zoning requests, which was provided as Attachment C to his Reply Statement. This assessment, which applied the following seven criteria for the inclusion of Rural Lifestyle Environment which was developed and applied at the s32 Evaluation stage<sup>18</sup>:
- i. *There is a presence or existing clusters of smaller/lifestyle lots.*
  - ii. *Areas have not been selected where there are physical constraints such as topography, geography or infrastructure*
  - iii. *Rural Lifestyle zoning will only be applied to lots smaller than 30ha (unless completely surrounded by smaller rural lifestyle blocks).*
  - iv. *Overlays such as Outstanding Natural Landscapes will be taken into account.*
  - v. *Proximity to Taupō township.*
  - vi. *Rural lifestyle zoning will not be applied where properties are accessed from State Highways.*
  - vii. *Properties subject to the D1 Geothermal Rule have been excluded.*
- 3.9 As the above seven criteria can conceivably be applied to every site of the Operative Rural Environment, we accept Mr Sharman's position (based on the legal advice received, noting the legal advice was specific to submission 74) that there is an inherent entitlement for everyone within the Rural Environment to seek their site to be included in the rezoning to RLE if they consider Council has not correctly identified their site for rezoning as part of PC42.
- 3.10 Therefore, we wish to explicitly record that any submission seeking rezoning as set out in an original submission only are **in scope** to PC42. For absolute clarity, any further submission seeking either additional sites, or seeking a material change to a re-zoning site(s) contained within an original submission is **not in scope** of PC42. This is because by their very nature further submissions cannot request relief in their own right; they can only submit to oppose the relief sought by the original submission.

#### **Inventory of information used by the Panel during deliberations**

- 3.11 The Panel was provided with the following information to inform our recommendations:
- a. Section 32 Evaluation Report
  - b. Submissions and further submissions
  - c. Submitter evidence
  - d. Section 42A Report
  - e. Officers Reply Statement Report – 16 October 2023
  - f. Legal advice from both submitter #74 and Council's legal counsel
  - g. Updated provision cascade<sup>19</sup>
  - h. Transpower's Response to Reporting Officer following meeting on 4 September 2023
  - i. General Rural and Rural Lifestyle Environment Chapter — 16 October 2023
  - j. Right of Reply – Landscape Advice Statement – 20 September 2023
  - k. Geotechnical review – 22 September 2023
  - l. Supplementary Statement of Economic Evidence – 22 September 2023

<sup>17</sup> S42A Reply Statement, prepared by Craig Sharman, paragraph 21, page 8, dated 16 October 2023

<sup>18</sup> S32 Evaluation Report, PC 42, page 39-40, undated.

<sup>19</sup> Provision cascade – Appendix 4 from s32 Evaluation Report, dated 16 October 2023

## 4 Evaluation of key issues

### Preamble

- 4.1 For the purpose of this Section, we have grouped our discussion based on common, key issues raised by submitters that remained in contention during the course of the hearing and that were specifically addressed in evidence from the relevant parties, rather than assessing each issue on a submitter-by-submitter basis.
- 4.2 The following key issues remained in contention during the course of the hearing:
- a. **Issue 1:** Chapter 3b - The Rural Environment Chapter - Definitions Introduction, Objectives and Policies
  - b. **Issue 2:** Chapter 4 - Rules and Standards
  - c. **Issue 3:** Zone Mapping
    - i. Non-contested zoned areas/sites (**Issue 3a**’);
    - ii. Contested zone areas/sites/(**Issue 3b**’);
    - iii. Additional sites sought for rezoning(**Issue 3c**’);
    - iv. Site specific provisions (**Issue 3d**’)
- 4.3 We provide our evaluation in further detail in relation to each of these issues in the following sub-sections.
- 4.4 Our evaluation Issues 1 and 2 is set out and organised systematically as follows:
- a. *Overview of provisions*
  - b. *Submissions received*
  - c. *Key issued raised*
  - d. *Council’s response*
  - e. *Panel’s recommendation*
- 4.5 With respect to our evaluation on **Issue 3a**, for the areas notified to be zoned GRE and RLE that were not contested by any submissions the Panel has accepted the Council’s s32 evaluation and the use of the seven criteria as an appropriate methodology to identify and zone land RLE zone or GRE as notified and accordingly makes no further evaluation on these sites.
- 4.6 In respect to our evaluation of **Issue 3b**, there were three sites<sup>20</sup> that sought ‘down-zoning’ from the notified zoning of RLE to GRE.
- 4.7 For **Issue 3c**, there were 22 (out of a total of 26) unique zoning requests seeking ‘up-zoning’ from GRE to RLE and one request that was not clear from the submission but has been included under this issue (Refer **Table 1** below).
- 4.8 For the majority of these requests, Mr Sharman’s s42A<sup>21</sup> Report assessed these sites, both individually and collectively, as set out in paragraph 2.22 above, against the seven criteria set out in paragraph 3.9 above and where the sites did not meet all seven criteria, Mr Sharman rejected these submissions<sup>22</sup>. We accept and adopt Mr Sharman’s recommendations on these submissions and make no further assessment of these.

<sup>20</sup> Refer Table 1: Site 4, 9 and 21

<sup>21</sup> S42A Report, prepared by Mr Sharman, Section 5.7, page 22, dated 28 July 2023

<sup>22</sup> Submitters 4, 5, 17, 32, 33, 34, 44, 46, 53, 54, 73, 80, and 81

- 4.9 Further to this, based on the evidence presented by submitters at the hearing, there were several sites that warranted a more in depth evaluation, this is set out in more detail below.
- 4.10 Regarding **Issue 3d**, although these were not strictly seeking rezoning, rather questioning the appropriateness of the notified zoning provisions for the site and provided further evidence at the hearing in support of their submissions. We therefore have provided our recommendations in response.

**Issue 1: Chapter 3b: Rural Environment Chapter - Definitions, Introduction, Objectives and Policies**

**Overview**

Provision(s)	Panel recommendations
Definitions	Amend notified definitions for: <ul style="list-style-type: none"> <li>• Bonus lot</li> <li>• Papakāinga</li> <li>• Buildings for the management of farmed animals</li> <li>• Intensive indoor primary production</li> <li>• Nominated Significant Natural Area</li> <li>• Rural Industry</li> </ul> Insert new definitions for: <ul style="list-style-type: none"> <li>• Greenhouses</li> <li>• Highly Productive Land</li> <li>• Land Based Primary Production</li> <li>• Minor residential unit (in relation to the Rural Environment)</li> <li>• National Grid Subdivision Corridor</li> <li>• National Grid Support Structure</li> <li>• National Grid Yard</li> <li>• Primary production</li> <li>• Primary residential unit</li> <li>• Renewable Electricity Generation</li> <li>• Reverse Sensitivity</li> <li>• Renewable Electricity Generation Activities</li> <li>• Sensitive Activities</li> </ul>
3b.1 Introduction	Minor wording amendments to the introduction in light of submissions.
3b.2 Objectives and Policies - General Rural Environment	<ul style="list-style-type: none"> <li>• Amend Objective 3b.2.1 to include the words “and the use of natural resources”.</li> <li>• Amend Objective 3b.2.4 to provide for a broader range of ‘other activities’.</li> <li>• Amend Objective 3b.2.5 to include ‘and/or consented’ to provide clarity on legally established activities</li> </ul>

Provision(s)	Panel recommendations
	<ul style="list-style-type: none"> <li>• Amend Objective 3b.2.6 to provide greater clarity of infrastructure impacts.</li> <li>• Insert new Objective 3b.2.9 Renewable Electricity Generation and Transmission Activity in light of submissions</li> <li>• Amend Policy 3b.2.10 by inserting additional defined character features</li> <li>• Amend Policy 3b.2.11 by inserting additional wording to provide greater clarity</li> <li>• Amend Policy 3b.2.14 to provide for greater certainty on how reverse sensitivity is managed</li> <li>• Amend Policy 3b.2.15 to provide clarity on activities</li> <li>• Insert the following additional policies:                         <ul style="list-style-type: none"> <li>- Policy 3b.2.19 Highly Productive Land</li> <li>- Policy 3b.2.20 Primary production and ancillary activities</li> <li>- Policy 3b.2.21 Effects on the National Grid</li> </ul> </li> </ul>
<p>3b.3 Objectives and Policies – Rural Lifestyle Environment</p>	<ul style="list-style-type: none"> <li>• Amend Objective 3b.3.1 to delete the word ‘maintain’ and insert the word ‘inappropriate’.</li> <li>• Amend Objective 3b.3.2 to insert the words ‘and/or consented’ to provide clarity on legally established activities.</li> <li>• Amend Objective 3b.3.3 to insert the words ‘Rural Lifestyle’ for clarity</li> <li>• Amend Objective 3b.3.5 to provide for an additional criteria b) “Protect highly productive land for use in land-based primary production”</li> <li>• Insert new Objective “3b.3.6 Impacts on Infrastructure”</li> <li>• Consequential numbering of objectives and policies following the insertion of new Objective 3b.3.6</li> <li>• Amend Policy 3b.3.19 criteria b) &amp; insert new criteria i).</li> <li>• Amend Policy 3b.3.10 for clarity and insert an additional defined character feature</li> <li>• Amend Policy 3b.3.12 to provide greater direction on avoiding reverse sensitivity effects.</li> <li>• Amend Policy 3b.3.13 to provide for reverse sensitivity effects</li> <li>• Insert the following new policies:                         <ul style="list-style-type: none"> <li>- Policy 3b.3.16 Highly Productive Land</li> <li>- Policy 3b.3.17 Centennial Drive Rural Lifestyle Environment</li> <li>- Policy 3b.3.18 Effects on the National Grid</li> </ul> </li> </ul>

**Amendments and reasons**

4.11 As notified, Chapter 3b Rural Environment Chapter sought to replace the existing Chapter with a full new suite of provisions, providing for two distinctly different zones to provide for both rural production and rural lifestyle development.

- 4.12 The focus of the submissions received in respect of the objectives and policies related largely to either ensuring primary production was enabled and also the use of natural resources is recognised and provided for.<sup>23</sup>
- 4.13 During the hearings, the Panel invited the s42A Officer, Mr Sharman to provide responses to the following matters in respect to the definitions, objectives and policies:
- a. Additional s32AA evaluations in light of the s42A amendments
  - b. Updated 'provisions cascade'
  - c. Invitation to consider any further amendments to objectives and policies in response to the Te Kotahitanga o Ngāti Tūwharetoa evidence
  - d. Providing analysis of the national planning standards definitions of 'rural industry' and 'primary production' and the 'flow on' effects of incorporating these terms into the rural provisions
- 4.14 The Panel wishes to acknowledge the additional assessments undertaken by Mr Sharman, the additional advice and collaborative efforts of the Primary Production and Energy Sectors, along with all submitters who provided evidence and attended the hearings.
- 4.15 In relation to the definitions, the key matter raised by submissions and during the hearings primarily related to requests for additional definitions<sup>24</sup> be added to the notified version and the definition for Papakāinga to be amended.
- 4.16 A total of six definitions were amended and 13 new definitions were added in light of submissions<sup>25</sup> and recommended by Mr Sharman at either s42A or Reply Statement stage, as set out in Overview table above.
- 4.17 The Panel accepts the changes and associated s32AA evaluations contained within Mr Sharman's s42A Report and Reply Statement on these definitions and accordingly accepts the corresponding submissions.
- 4.18 With respect to the objectives and policies, the key issues raised related to renewable electricity generation, general rural character, reverse sensitivity and strengthening the provisions for primary production and highly productive land.
- 4.19 Initially, the Council response in the s42A Report,<sup>26</sup> only provided minor wording changes to objectives and recommended two new policies in relation to Highly Productive Land and Centennial Drive Rural Lifestyle Environment. However, in his Reply Statement, Mr Sharman proposed more substantive objective and policies changes to take account of the submitters concerns should the land be recommended by the Panel to be rezoned RLE.
- 4.20 Mr Sharman proposed amended wording to GRE Policy 3b.2.14 (3b.2.16 as notified) in conjunction with an additional RLE Policy 3b.3.17 recommended in his s42A Report, specifically relating to Centennial Drive (Refer to blue text below).
- 4.21 We accept and adopt the changes recommend by Mr Sharman in his s42A Report to Policy 3b.2.14 (3b.2.16 as notified), shown below in blue and his further substantive recommended changes at Reply Statement stage, shown in purple below, and the associated s32AA evaluations.

---

<sup>23</sup> Section 42A Report, prepared by Mr Craig Sharman, dated 28 July 2023, paragraph 122, page 33

<sup>24</sup> OS26, OS91, OS79, OS110, OS68, OS57, OS84, OS93, OS23 and OS109

<sup>25</sup> OS79, OS83.1, OS47, OS26, OS26.10, OS91.10, OS79, OS26.11, OS110.9, OS110.10, OS110

<sup>26</sup> Section 42A Report, Section 5.11, prepared by Mr Craig Sharman, dated 28 July 2023, pages 33-34

**Policy 3b.2.14 Avoiding reverse sensitivity**

Any adverse effects generated by an new activity, including reverse sensitivity effects, must be managed within the allotment so as to avoid adversely affecting reverse sensitivity effects on permitted, and lawfully established and/or consented<sup>78</sup> neighbouring activities.<sup>22</sup>

4.22 We also agree with Mr Sharman that there is a need for the additional Policy 3b.3.17 (as set out below) that is specific for the for Centennial Drive in the RLE as consistent with the policy framework for GRE resulting in Policy 3b.2.14.

**Policy 3b.3.17 Centennial Drive Rural Lifestyle Environment**

Avoid subdivision and development within the Rural Lifestyle Environment at Centennial Drive to ensure avoidance of adverse reverse sensitivity effects, including conflict with permitted, legally established and/or consented activities in neighbouring Environments.<sup>100</sup>

4.23 The Panel acknowledges the specific concerns of the submitter (OS93 – Contact Energy) to ensure that reverse sensitivity is avoided being the rationale for Mr Sharman’s recommended additional Policy 3b.3.17 relating to the RLE. In this respect we adopt the evidence of Mr Chrisp for Contact Energy in so far as it relates to the policy provision recommended by Mr Sharman.

4.24 Overall, we consider there is good nexus between the policy and the mechanisms in the rule framework governing subdivision and land use to effectively manage reverse sensitivity effects both RLE/GRE zone interface generally and specifically in relation to the Centennial Drive area.

**Issue 2: Chapter 4 – Rules and Standards**

**Overview**

Provision(s)	Panel recommendations
Chapter 4 Rules and Standards	N/A
4b Rural Environment 4b.1 General Rules – General Rural Environment	<ul style="list-style-type: none"> <li>• Amend Rule 4b.1.2 to insert an additional matter of discretion i. and j.</li> <li>• Amend Rule 4b.1.4 i. to replace the word ‘energy’ with ‘electricity’</li> <li>• Amend Rule 4b.1.4 NOTE to insert additional text for clarity</li> <li>• Amend Rule 4b.1.5 to include the words “(excluding rural industry)” for clarity and insert reverse sensitivity effects as a matter of discretion</li> <li>• Insert new Rule 4b.1.7 ‘Building, structure and activities in the National Grid Yard’</li> <li>• Amend Rule 4b.1.10 to insert the words “greenhouses”</li> <li>• Amend Rule 4b.1.10 to delete the second set of matters of discretion</li> <li>• Insert the following new rules:                         <ul style="list-style-type: none"> <li>- 4b.1.11 Earthworks or vertical holes in the National Grid Yard</li> <li>- <u>4b.1.12 Noise Corridor Boundary Overlay</u></li> </ul> </li> </ul>

Provision(s)	Panel recommendations
4b.2 Performance Standards – General Rural Environment	<ul style="list-style-type: none"> <li>• Amend Performance Standard 4b.2.1 by deleting the words “where access is to a local road” in i. and insert new iii. “100 equivalent vehicle movement per day where access is to a State Highway”</li> <li>• Amend Performance Standard 4b.2.1 EXCEPTION to provide additional wording for clarity in relation to or existing and/or consented renewable electricity generation activities</li> <li>• Insert new NOTE to Performance Standard 4b.2.1 to refer to Waka Kotahi Planning Policy Manual</li> <li>• Amend Performance Standard 4b.2.5 with minor wording changes and the insertion of an additional EXCEPTION in relation to renewable electricity generation investigations</li> <li>• Amend to Performance Standard 4b.2.6 ii. and iv. and insert new vii. to provide for additional direction and clarity</li> <li>• Amend to Performance Standard 4b.2.7 to strengthen the provision and greater clarity of direction</li> <li>• Amend Performance Standard 4b.2.8 to include the wording “(excluding rural industry)”</li> <li>• Amend Performance Standard 4b.2.13 with additional wording to provide greater direction and clarity in relation to primary production, agricultural aviation, plantation forestry and renewable electricity generation</li> <li>• Amend Performance Standard 4b.2.15 to insert additional standard vi. a) and b).</li> <li>• Insert the following new Performance Standards:                         <ul style="list-style-type: none"> <li>- 4b.2.16 Buildings, structures and activity in the National Grid Yard</li> <li>- 4b.2.17 Earthworks or vertical holes in the National Grid Yard</li> <li>- 4b.2.18 Noise Control Boundary Overlay – Sensitive Activities</li> </ul> </li> </ul>
4b.3 General Rules – Rural Lifestyle Environment	<ul style="list-style-type: none"> <li>• Amend Rule 4b.3.2 matters of discretion to insert a new a., g. and h.</li> <li>• Amend Rule 4b.3.2iii by inserting a matter of control</li> <li>• Insert the following new Rules:                         <ul style="list-style-type: none"> <li>- 4b.3.7 Buildings, structures and activities in the National Grid Yard</li> <li>- 4b.3.8 Earthworks or vertical holes in the National Grid Yard</li> <li>- 4b.3.9 Noise Corridor Boundary Overlay</li> </ul> </li> </ul>
4b.4 Performance standards – Rural Lifestyle Environment	<ul style="list-style-type: none"> <li>• Amend Performance Standard 4b.4.4 to insert the word “primary” and add an additional standard iii.</li> <li>• Amend Performance Standard 4b.4.5 to insert a new EXCEPTION</li> <li>• Amend Performance Standard 4b.4.7 with additional wording to provide for greater clarity and direction</li> <li>• Amend Performance Standard 4b.4.10 to insert new</li> </ul>

Provision(s)	Panel recommendations
	<p>standard vi. a) and b) to provide greater direction</p> <ul style="list-style-type: none"> <li>• Amend Performance Standard 4b.4.15 with minor wording changes for clarity</li> <li>• Insert the following new Performance Standards:                             <ul style="list-style-type: none"> <li>- 4b.4.16 Buildings, structures and activities in the National Grid Yard</li> <li>- 4b.4.17 Earthworks or vertical holes in the National Grid Yard</li> <li>- 4b.4.18 Noise Control Boundary Overlay – Sensitive Activities</li> </ul> </li> </ul>
<p>4b.5 Subdivision Rules</p>	<ul style="list-style-type: none"> <li>• Amend Rules 4b.5.2 ii. and insert a new iii. to provide greater direction on resultant lot sizes</li> <li>• Insert new Rule 4b.5.4 Subdivision – Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils</li> <li>• Consequential numbering updates following the insertion of new rule 4b.5.4</li> <li>• Amend matters of control for 4b.5.1.i, 4b.5.2.i, and 4b.5.3.i, 4b.5.4i and 4b.5.5i with minor wording amendments and inserting new matter i)</li> <li>• Insert new matters of control for 4b.5.2iii and 4b.5.4i</li> <li>• Amend Rule 4b.5.6 matters of discretion b. to include “including the need for connectivity to adjoining land and other roads and the facilitation of multimodal transport;”</li> <li>• Amend Rule 4b.5.7 (iv) to delete the words “General Rural Environment or” and consequential wording amendments for matters of control</li> <li>• Amend Rule 4b.5.9 i. to provide additional wording for clarity regarding lot size where it adjoins the GRE</li> <li>• Amend Rule 4b.5.9 b. to insert words “and Rural Lifestyle”</li> <li>• Insert the following new rules:                             <ul style="list-style-type: none"> <li>- 4b.5.11 Subdivision – National Grid Subdivision Corridor</li> </ul> </li> </ul>

**Amendments and reasons**

- 4.25 As notified, Chapter 4b – Rural Environment Chapter sought to replace the existing Chapter with rules and performance standards for both the General Rural Environment, and Rural Lifestyle Environment and Subdivision rules in relation to both Rural Zones.
- 4.26 The majority of the submissions received in respect of the rules and performance standards were from the energy companies Genesis, Contact, Mercury, Manawa Energy and Transpower. The submissions from the Energy Sector sought that the provisions give effect to the National Policy Statement on Electricity Transmission 2009 (NPS-ET) and provide suitable level of recognition given the National Policy Statement for Renewable Electricity Generation 2011.

- 4.27 We note that significant consideration was given to this matter through Plan Change 38: Strategic Directions and therefore Report 1 should be read in conjunction to this report, which sets out the higher order direction for the energy sector on a district wide level.
- 4.28 This matter remained contested at the hearing and the Panel requested that the 'energy cohort' provide a set of energy-related provisions in the context of PC42.<sup>27</sup> This was duly provided.<sup>28</sup> The energy cohort set of agreed provisions were accompanied by a supporting Section 32AA evaluation.<sup>29</sup>
- 4.29 Mr Sharman reflected on these proffered provisions for the energy cohort and returned to the rules in his Reply Statement and recommended revised provisions. Mr Sharman agreed and adopted three of the amended rules (4b.1.2, 4b.1.7, 4b.2.1) put forward by the energy cohort.
- 4.30 We accept and adopt both the energy cohorts Section 32AA evaluation and Mr Sharman's subsequent recommendation to adopt the majority of the provisions put forward by the energy cohort.
- 4.31 Mr Sharman however, only partly agreed with the amendments of rule 4b.1.4 and rejected the changes to following three rules in their entirety:
- Rule 4b.1.8: Buildings within Outstanding Landscape Areas –
  - Rule 4b.1.9: Earthworks within Outstanding Landscape Areas
  - Rule 4b.2.13: Maximum Noise – Other
- 4.32 With respect to the rule 4b.1.4, Mr Sharman's only partial acceptance of the minor amendments made by the energy cohort to refer to geothermal areas rather than steamfields but recommended the rejection of the amendment to include the following as a permitted activity:
- "i. Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators are a permitted activity."*
- 4.33 In his Reply Statement, Mr Sharman stated that this amendment would unduly widen the impact and is not an appropriate outcome.<sup>30</sup>
- 4.34 Mr Sharman set out his rationale for rejecting the revised versions of rules 4b.1.8, 4b.1.9 and 4b.2.13, which *"all represent in my opinion a substantial broadening of the statutory impact of the provisions"* and goes on to state that *"The statutory impact of the amendments sought by the energy cohort would be that renewable electricity generation activities would be exempted from the above rules, whether the activity takes place within the mapped Electricity Generation Core Sites or outside of these mapped areas."*<sup>31</sup>
- 4.35 The Panel agrees with Mr Sharman's assessment and therefore rejects the energy cohort amendments to these rules in favour of the provisions in Mr Sharman's Reply Statement.

<sup>27</sup>Minute 12, dated 19 August 2023 and Minute 16, dated 28 August 2023

<sup>28</sup><https://www.taupodc.govt.nz/repository/libraries/id:25026fn3317g9slqvgym/hierarchy/Council/Consultation/District%20Plan%20Changes%2038-43/PC42%20post%20hearing/Plan%20Change%2042%20Energy%20Sector%20Agreed%20Provisions.pdf>

<sup>29</sup>Reply Statement, paragraph 43, prepared by Mr Craig Sharman, dated 16 October 2023, pages 15

<sup>30</sup>Reply Statement, paragraph 43, prepared by Mr Craig Sharman, dated 16 October 2023, pages 15

<sup>31</sup>Contact s93.23 and s93.76

- 4.36 Turning now to matters raised by Submitter 93<sup>32</sup> and supported by further submissions from three submitters<sup>33</sup> which related to reverse sensitivity arising from further intensification within the Centennial Drive area.
- 4.37 We evaluate the corresponding zoning for Centennial Drive below in **Issue 3**, which further supports our rationale regarding these provisions.
- 4.38 In response, Mr Sharman recommended the following amendments (shown in blue text below) to rule 4b.3.2 and performance standard 4b.4.5 ii. b. applying specifically to Centennial Drive.

#### 4b.3.2 Minor residential units

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.
- iii. A minor residential unit within the Rural Lifestyle Environment as it applies to Centennial Drive is a **non-complying activity**.<sup>168</sup>

In addition to the above, for the purposes of assessment under Rule 4b.3.2iii the matters over which the Council reserves control for the purpose of assessment include:

- a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.<sup>171</sup>

#### 4b.4.5 Minor residential units

- i. No more than one minor residential unit per primary residential unit is permitted.
- ii. All minor residential units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than ~~20~~ 40<sup>184</sup> metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

EXCEPTION: No further minor residential units are provided for within the Rural Lifestyle Environment as it applies to Centennial Drive, and any such application is a non-complying activity as per 4b.3.2.<sup>185</sup>

- 4.39 At the hearing, we sought further analysis from Mr Sharman on the provisions of the Rural Lifestyle vs General Rural zones applying to Centennial Drive, which Mr Sharman provided in the Reply Statement.<sup>34</sup>
- 4.40 In considering Mr Sharman's further analysis of the provisions, firstly in relation to rule 4b.3.2, we consider the matters of discretion, in particular matter f as notified and matters g and h, as recommended at s42A Report stage, negate the need for 4b.3.2 iii. and the subsequent matter of discretion specifically applying to 4b.3.2 iii. Therefore, we accept that matters of discretion g and h and the subsequent 32AA assessment of Mr Sharman contained in his s42A Report but reject the associated matter of discretion a as it is not appropriate to have a matter of discretion for a non-complying activity.
- 4.41 We accept that Mr Sharman's amendment to 4b.3.2 (and performance standard 4b.4.5

<sup>32</sup>Taupō International Motorsport Park and Events Centre and Taupo Racing Club Inc

<sup>33</sup>Attachment G, Reply Statement, prepared by Mr Craig Sharman, dated 16 October 2023

discussed below) was to address the gap in that there was potential for further minor residential units to occur within Centennial Drive which had the potential to exacerbate reverse sensitivity effects. However as mentioned, it is not appropriate for a non-complying activity to limit the Councils discretion. Our changes to 4b.3.2 are set out below:

*4b.3.2 Minor residential units*

- i. A minor residential unit which complies with the performance standards is a permitted activity.*
- ii. A minor residential unit which does not comply with the performance standards is a restricted discretionary activity.*
- iii. A minor residential unit within the Rural Lifestyle Environment as it applies to Centennial Drive is a non-complying activity.*

...

~~*In addition to the above, for the purposes of assessment under Rule 4b.3.2iii the matters over which the Council reserves control for the purpose of assessment include:*~~

~~*a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.*~~

- 4.42 In addition to this, to ensure consistency within the rule framework, a consequential change was made by Mr Sharman’s s42A Report recommending that Performance Standard 4b.4.5 be amended to manage the potential for reverse sensitivity effects by inserting an additional EXCEPTION in relation to Centennial Drive that a minor residential activity is a non-complying activity.<sup>35</sup>
- 4.43 The Panel considers that the amendments recommended by Mr Sharman to 4b.4.5 are ultimately addressed through the recommended amendment to the subdivision rule 4b.5.2 iii which renders subdivision of lots 2 hectares or less that adjoin the GRE a non-complying activity. We therefore consider Rule 4b.4.5 should be retained as notified but accept the changes to rule 4b.5.2 iii and adopt the s32AA evaluation.
- 4.44 Waka Kotahi New Zealand Transport Agency (WKNZTA) (submission 113) sought a series of additional provisions to manage reverse sensitivity and other issues along the State Highway network through the district’s Rural Environment. The submission also sought to impose a new reverse sensitivity noise rule and/or introduce rules that achieved the same outcome for sensitive noise receivers.
- 4.45 It is important to note here, that the identification of the Rural Lifestyle areas specifically excluded blocks which otherwise met the criteria but were accessed from the State Highway network.
- 4.46 Through the hearing process, and also following the hearing, these provisions and the buffer area were refined. These are addressed through Mr Sharman’s Reply Statement<sup>36</sup> and the Panel is satisfied that these recommendations efficiently and effectively address reverse sensitivity effects for the State Highway network as regionally significant infrastructure.

<sup>35</sup>S42A Report, paragraph 103, page 27, prepared by Mr Craig Sharman, dated 28 July 2023

<sup>36</sup>Section 42A Reply Statement, prepared by Craig Sharman, paragraph 71-75, page 25, dated 16 October 2023

### Issue 3: Zone Mapping

#### Preamble

- 4.47 As set out above in paragraph 4.2, the combination of the notified proposed zoning maps and the submissions received raised the following categories of issues:

**Issue 3a:** The areas notified to be zoned GRE and RLE that were not contested by any submissions

**Issue 3b:** Sites that were notified to be zoned RLE but were contested by submission/s

**Issue 3c:** Sites that were not notified to be zoned RLE but are sought to rezoned through submission/s

**Issue 3d:** Sites that sought site specific provisions

- 4.48 We now consider each of those in turn.

#### *Issue 3a: Uncontested zoning*

- 4.49 With respect to the areas of GRE and RLE that were not challenged from submission, the Panel has accepted the Council's s32 evaluation and the use of the seven criteria as an appropriate methodology to identify and include a site as RLE zone and accordingly makes no further evaluation on these sites. Therefore, the Panel recommends that the notified zoning, where unchallenged from submission is accepted and adopted according.

#### *Issue 3b: Contested RLE sites*

- 4.50 There were three sites that sought 'down-zoning' from the notified zoning of RLE to GRE.

#### *Issue 3c: Rezoning Requests*

- 4.51 There were total of 124 sites from 32 submitters seeking that sites be rezoned. There were a total of 22 unique requests for 'up-zoning' from GRE to RLE. The sum of all additional rezoning requests totaled in excess of 1,000 hectares of additional RLE land.<sup>37</sup>

#### *Issue 3d: Sites that sought site specific provisions*

- 4.52 There were three sites that opposed the provisions of the zoning in relation to their sites or sought nuanced provisions. Although they were not strictly requests for rezoning, they warranted an evaluation of the notified zoning to ensure the provisions were appropriate for the site.
- 4.53 **Figure 1** below shows the location of all additional rezoning request sites that sought 'up-zoning' from GRE to RLE.

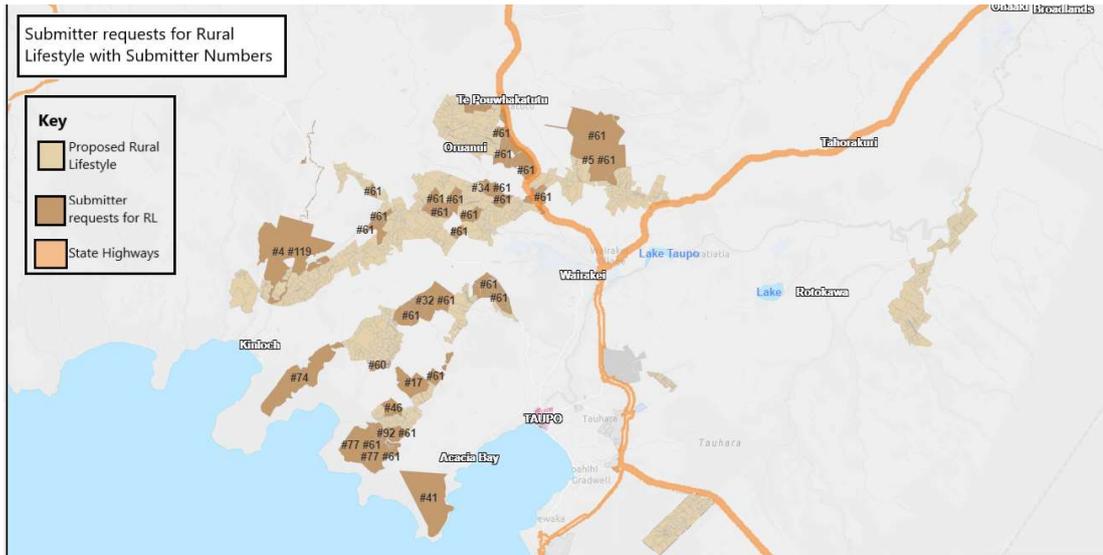
#### Evaluation of Contested RLE sites and Contested Rezoning Requests

- 4.54 As set out above, in paragraph 2.22 although there are 124 individual sites, many of these sites are either adjoining or adjacent to each other and for efficiency and effectiveness, we have evaluated these on a 'grouped basis, reflected in **Table 1** below to align with the s42A Officer evaluation of the seven criteria as set out above in paragraph 2.14 a.-g.

<sup>37</sup>Section 42A Reply Statement, prepared by Craig Sharman, paragraph 16, page 7, dated 16 October 2023

4.55 Given the extensive number of requests covered by **issue 3b, 3c and 3d**, our evaluation for each of the 26 requests are contained within **Appendix 5**. For efficiency purposes, **Table 1** below provides the summary of the requests and our overall recommendation.

4.56 As the majority of the sites were recommended to be rejected by Council at both the s42A Report and Reply Statement stages, which we have largely accepted and adopted, we do not make any further comment on these sites within this section. Our individual assessment on each site is set out in full in **Appendix 5**.



**Figure 1:** Submitter requests for rezoning from Proposed General Rural Environment to Rural Lifestyle Environment.

4.57 On the above basis, the evaluation below focuses on where additional information or evidence was provided by submitters at the hearing, or where we have departed from the Reporting Officers recommendation.

**Requests**

**Table 1:** Specific Rezoning Requests Recommendation

Unique Zoning Request Identifier No:	Site(s) physical address Submitter #	Request	Panel recommendation
1	Site(s): 4, 15, 22, 30, 36, 37 and 40 Kaiapo Road Submitter: #77 <sup>38</sup>	Rezone GRE to RLE	Reject
2	Site(s): 1450 Mapara Road Submitter: #32 <sup>39</sup>	Rezone GRE to RLE	Reject
3	Site(s): 160 and 166 Tukairangi Road Submitter: #32 <sup>40</sup>	Rezone GRE to RLE	Reject
4	Site(s): 104, 122 and 146 Oruanui Road and 21, 41, 61, 194 and 196 Tukairangi Road and 437 Pohipi Road Submitter: #93 <sup>41</sup>	Downzone RLE to GRE	Reject
5	Site(s): 40 and 41 Hepina Heights Submitter: #42	Rezone GRE to RLE	Reject

<sup>38</sup> E F Deadman

<sup>39</sup> Unicorn Pacific Trust

<sup>40</sup> Unicorn Pacific Trust

<sup>41</sup> Unicorn Pacific Trust

Unique Zoning Request Identifier No:	Site(s) physical address Submitter #	Request	Panel recommendation
6	Site: 14 King Road Submitter: #60	Rezone GRE to RLE	Accept
7	Site(s): 34 Parawera Drive and 1114 Acacia Bay Road Submitter: #41	Rezone GRE to RLE	Reject
8	Site(s): 101 Caroline Drive, Bonshaw Park Submitter: #117	Not clear from submission	Reject
9	Site: Centennial Drive locality Submitters: #10, #13 and #100	Seeks to downzone from RLE to GRE	Reject
10	Site: Whakaroa Road (Te Tuhi Precinct) Submitter: #74	Rezone GRE to RLE	Reject – REFER TO APPENDIX 6
11	Site: 939 Tukairangi Road Submitter: #92	Rezone GRE to RLE	Reject
12	Site: 363 White Road Submitter: #102	Rezone GRE to RLE	Reject
13	Site: 58 Palmer Mill Road Submitter: #63	Rezone GRE to RLE	Reject
14	Site: 208 Tukairangi Road Submitter: #11	Rezone GRE to RLE	Accept in part
15	Site: 764 Whangamata Road Submitter: #4	Rezone GRE to RLE	Reject
16	Site: 344 Palmer Mill Road Submitter: #5	Rezone GRE to RLE	Reject
17	Site(s): <ul style="list-style-type: none"> <li>• 658 Tukairangi Road</li> <li>• 1667 Poihipi Road</li> <li>• 658 Tukairangi Road</li> </ul> Submitter: #17	Rezone GRE to RLE	Reject
18	Site: 809 Oruanui Road Submitter: #33	Rezone GRE to RLE	Reject
19	Site: 390 Oruanui Road Submitter: #34	Rezone GRE to RLE	Reject
20	Site: 82 Tukairangi Road Submitter: #44	Rezone GRE to RLE	Reject
21	Site: 3/864 Tukairangi Road Submitter: #46	Seeks to downzone adjoining property from RLE to GRE	Reject
22	Site: 1160 Mapara Road Submitters: #53, #54, #73, #82 and #116	Rezone GRE to RLE	Reject
23	Site: 1182 Mapara Road Submitters: #80 and #81	Rezone GRE to RLE	Reject
24	Site: 607 State Highway 1 Submitter #87	Rezone GRE to RLE	Reject
25	Site(s): 862 and 764 Whangamata Road Submitter: #119	Rezone GRE to RLE	Reject
26	Site(s): <ul style="list-style-type: none"> <li>• 14, 15, 22, 30, 36, 37 and 40 Kaiapo Road</li> <li>• 28, 40, 82, 120, 160 and 166, 170, <b>208</b>, 500, 526, 548, 654A, 654B and 939 Tukairangi Road</li> <li>• 1160, 1162, 1172, 1182, 1218 and 1250 Mapara Road</li> <li>• 521, 561, 1171 and 1278 Poihipi Road</li> <li>• 214 Whangamata Road</li> <li>• 102, 108 and 140 Tuhingamata Road</li> <li>• 43, <b>254</b>, 269, 331, 374A, 390 and 809 Oruanui Road</li> <li>• 426, 429, 430 and 431, 464, 468, 501, 503, 504, 506A, 506, 508, 512, 605, 607, 609, 755, 759, 761, 765, 831, 833 835, 837, 849, 1/897, 2/897, 897, 917, 953, 969 and 615 SH1 Tokoroa</li> </ul> Submitter: #61	Rezone GRE to RLE	Accept 254 Oruanui Rd and 208 Tukairangi  Reject all other sites

### Amendments and reasons

- 4.58 **Table 1** above provides the summary of our recommendations in relation to **Issue 3b, Issue 3c and Issue 3d**, with the substantive evaluation for each of the sites set out in **Appendix 5**.
- 4.59 Submitters highlighted in blue in **Table 1** above, being requests 4, 6, 7, 8, 9, 14, and 26 provided further evidence at the hearing, which required a further evaluation.
- 4.60 With respect to **request 21**, although no further evidence was provided at the hearing from the submitter, the Panel considered that further assessment of the matters raised by that submitter was warranted given the lack of clarity within this submission.
- 4.61 Submitter#74 highlighted in red in the table above was the subject of a separate day of hearing, as detailed above in paragraph 3.5, the full evaluation for this request is contained in Appendix 6.
- 4.62 Our key consideration of whether to accept a submission seeking rezonings from either an upzoning or downzoning basis has been largely based on the request complying with all seven criteria, listed above in paragraph 2.14. This is to ensure that the inclusion of any site within the RLE is consistent with the sites that were notified, which were of course required to meet the same criteria. In our view, this ensures that all zoning is consistent and transparent across the district.
- 4.63 On this basis, our evaluation was reasonably clear cut, given that sites must comply with ALL seven criteria.
- 4.64 The Panel's overall decision on all of the rezoning requests resulted in a total of three sites to be rezoned as notified and are highlighted in green in Table 1 above .

### **Issue 3b Sites that were notified to be zoned RLE but were contested by submission/s**

- 4.65 As set out above, there were four requests that sought a down zoning from the notified RLE to GRE.
- i. Request 4: 104, 122 and 146 Oruanui Road, 21, 41, 61, 194 and 196 Tukairangi Road and 437 Poihipi Road*
  - ii. Request 9: Centennial Drive locality*
  - iii. Request 14: 208 Tukairangi Road*
  - iv. Request 21: 3/864 Tukairangi Road (but also included 208 Tukairangi Road but evaluation covered by request 14)*
- 4.66 We visited all four request locations before and after the hearing.
- 4.67 We set out our reasoning for our recommendations on these requests below.

### **Request 4: 104, 122 and 146 Oruanui Road, 21, 41, 61, 194 and 196 Tukairangi Road and 437 Poihipi Road - rezone RLE to GRE**

- 4.68 As notified, these properties were zoned RLE. However, submitter OS93 was opposed to this zoning on the basis that RLE should be located in appropriate locations that ensure the avoidance of adverse reverse sensitive effects, particularly not within or in close proximity to permitted, lawfully existing and/or consented renewable electricity generation activities.

- 4.69 The submitter also sought additional changes to objectives and policies to further support the avoidance of reverse sensitivity matters, and that has been covered in **Issue 1** above.
- 4.70 As outlined within Mr Sharman's s42a Report<sup>42</sup>, it is helpful to turn to preestablished tools within the District Plan which manage reverse sensitivity effects on geothermal energy. Area X and Area Y are mapped areas established through Environment Court mediation in 2007 prior to PC42 for the purposes of managing reverse sensitivity effects on geothermal activity.
- 4.71 The RLE selection criteria used Area Y (yellow area on map D3) as one of the deselection criteria for RLE. Area Y (yellow area on D3) is predominately formed around property boundaries and involves a double layer of rules within the ODP, in that all properties are restricted to one dwelling (within the District-wide section of the plan 4e.15.1) as well as additional subdivision constraints within the rural section of the ODP. Area X was not used as a de-selection criteria for RLE, however it does have specific provisions relating to subdivision.
- 4.72 Evidence presented at the hearing by Contact stated that these properties at Oruanui, Tukairangi and Poihipi Roads were "close"<sup>43</sup> to Te Mihi and Poihipi Power Stations. It was also stated that Areas X and Y required updating. However no further evidence was presented on this.
- 3.1 It should be noted that the ability for intensification on these sites is limited by the fact that all the properties have a boundary with GRE. Management of reverse sensitivity is precisely the reason for this cascade of provisions and the higher bar for subdivision, to manage the interface between GRE and RLE.
- 4.73 The Panel therefore rejects the submitter's request to down zone the land to GRE in favour of the notified zoning, and accordingly adopts the initial s32 evaluation and recommendation of Mr Sharman's Reply Statement.

***Request 9: Centennial Drive locality – Contesting the provisions of GLE***

- 4.74 Centennial Drive was notified as RLE zone as it qualifies for all seven s32 criteria to be 'upzoned'. In this locality there were submissions from landowners<sup>44</sup> for further intensification of their sites. Contact Energy also submitted that the locality be "downzoned" to GRE. We address the landowners submissions first.
- 4.75 Mr Sharman's s42A Report sought to reject these submitters request for smaller subdivision lot sizes. Mr Sharman acknowledged that there are existing reverse sensitivity issues within this area and this request for smaller lot sizes would exacerbate this issue.<sup>45</sup>
- 4.76 On the basis that many of the existing lots are between 0.95 and 4.5ha we consider that the existing zoning and the associated provisions appropriately reflect the existing pattern of development and reducing the permitted subdivision size to 1 hectare would further increase the potential for reverse sensitivity issues and would be contrary to the higher order Strategic Objectives and Policies of the Urban Form and Development of Plan Change 38.
- 4.77 Therefore, we accept Mr Sharman's recommendation to retain the notified zoning and

<sup>42</sup> Section 42A Report, prepared by Mr Craig Sharman, dated 28 July 2023, Paragraph 106, page 28

<sup>43</sup> Submitter 93 Contact – Evidence of M Crisp, Paragraph 42-44, Page 14

<sup>44</sup> OS10, OS13 and OS100

<sup>45</sup> S42A Report, prepared by Mr Craig Sharman, Appendix 1, 28 July 2023

reject the submissions OS10, OS13 and OS110.

- 4.78 Turning to Contact Energy's submission, in the s42A Report, Mr Sharman recommended that this submission be rejected and that these properties retain the RLE zoning. Whilst Mr Sharman acknowledged the point identified by the submitter, with respect to records of complaints in the Centennial Drive locality and that the inclusion of Centennial Drive into RLE raises or reinforces expectations of a rural-residential character (presumably leading to more complaints).<sup>46</sup>
- 4.79 However, Mr Sharman did not consider the inclusion of these properties in the RLE would alter the existing expectations of character and the additional policies and provisions he recommended respond to the submitters concerns regarding this issue.<sup>47</sup> The additions and amendments to the provision in respect to this matter were canvassed above under **Issue 2**.
- 4.80 Mr Sharman returned to this matter in his Reply Statement, stating that:

*"whilst I acknowledge that Mr Chrisp criticises the RLE criteria for inclusion of properties within the RLE, key amongst them is the criterion about the presence of existing rural lifestyle development as a primary determinant of suitability for RLE inclusion. There appears no dispute regarding the physical presence of existing lifestyle development at Centennial Drive, although clearly there is dispute on whether that should lead to inclusion within RLE."<sup>48</sup>*

- 4.81 Although we consider that the seven criterion provides a robust and consistent methodology for the identification of land to be rezoned RLE, in some circumstances, a highly nuanced additional filter is required to 'vet' the criterion. In this circumstance, there is no dispute between the Reporting Officer, submitter and the Panel that theoretically the subject land meets all seven criteria.
- 4.82 The submitter attended the hearing, and the Panel acknowledges the planning and corporate evidence provided by the submitter.<sup>49</sup>
- 4.83 Although we agree with the submitter that there has been a history of complaints from residents, which Mr Sharman rightly acknowledges, we do not consider that rezoning this area has the potential to exacerbate the vulnerability of existing lawfully established activities, such as the large-scale renewable electricity generation activities, a motorsport park, racing track and an aerodrome set out in the submitters evidence.<sup>50</sup>
- 4.84 The Panel therefore rejects the submitter's request to down zone the land to GRE in favour of the notified zoning, and accordingly adopts the initial s32 evaluation and recommendation of Mr Sharman's Reply Statement.

#### **Request 14: 208 Tukairangi Road**

- 4.85 Although this site met the RLE criteria, it was notified GRE based on pre-consultation discussions with the landowner. The owner of the property then lodged a submission in support of upzoning the front portion of the property that adjoins the road but was generally opposed to the rezoning of the remainder of the land for RLE.<sup>51</sup> Another

<sup>46</sup>Section 42A Report, prepared by Mr Craig Sharman, dated 28 July 2023, Paragraph 111, page 30

<sup>47</sup>Section 42A Report, prepared by Mr Craig Sharman, dated 28 July 2023, Paragraph 111, page 30

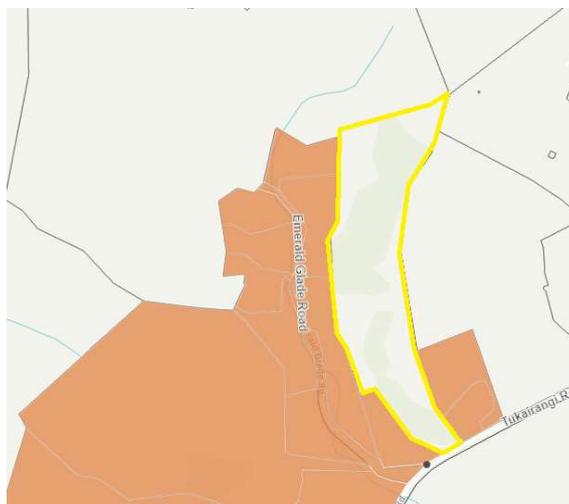
<sup>48</sup>Reply Statement, prepared by Mr Craig Sharman, dated 16 October 2023, paragraph 35, page 12

<sup>49</sup>Planning Evidence of Mark Bulpitt Chrisp, dated 9 August 2023 and Corporate Evidence of Michael Stevens dated 10 August 2023

<sup>50</sup>Evidence of Michael Stevens on behalf of Contact Energy Limited, dated 10 August 2023, paragraph 16, page 5.

<sup>51</sup>OS11

separate submission sought several sites, including this site, to be upzoned to RLE.<sup>52</sup>



**Figure 2:** Notified Planning Map for PC42 showing 208 Tukairangi Road, outlined in yellow.  
Source: Mapviewer, annotated by Panel, March 2024

- 4.86 Neither submitter attended the hearing.
- 4.87 Mr Sharman's Reply Statement provided further analysis of the proposed zoning for this site and confirmed that the site met all seven criteria to be rezoned RLE.<sup>53</sup>
- 4.88 However, the key concern of the submission of the property owner related to reverse sensitivity effects, particularly in relation to dwelling setbacks, noise and effects on watercourses.<sup>54</sup>
- 4.89 Having read the submissions from OS11 and OS61 in conjunction with the further assessment of the zoning from Mr Sharman, we consider that the site at 208 Tukairangi Road meets the required threshold to be zoned RLE.<sup>55</sup>
- 4.90 Whilst we acknowledge the owners request that only the front portion of the site should be rezoned to RLE, we do not consider split zoning over any site is best practice and note that RLE zoning does not preclude the property from being utilised for rural purposes.
- 4.91 Furthermore, we consider that the amended provision as set out under Issues 1 and 2 above adequately manages the reverse sensitivity effects that submitter OS11 was concerned with.
- 4.92 Therefore, the Panel partially accepted submission OS11 and accepts submission OS61 in favour of upzoning the entire property at 208 Tukairangi Road (as opposed to partial upzoning requested by OS11) and therefore agrees with Mr Sharman's Reply Statement recommendation and adopts his corresponding s32AA evaluation to upzone the site from GRE to RLE.
- 4.93 Figure 3 below shows the revised zoning.

<sup>52</sup>OS117

<sup>53</sup>Attachment C to Mr Sharman's Reply Statement

<sup>54</sup> OS11

<sup>55</sup>Attachment C to Mr Sharman's Reply Statement



**Request 21: 3/864 Tukairangi Road – rezone adjoining site from RLE to GRE**

4.94 As notified 3/864 was zoned GRE. Submitter OS46 stated that:

*“In the planning map Rural Lifestyle 919 in the case of 3/864 Tukairangi Road the adjoining properties seem to be included in the Rural Lifestyle area i.e. coloured orange when they should not be included in this area. There will be an expectation from these landowners that they can subdivide.”<sup>56</sup>*

- 4.95 The submission was not explicit in the outcome sought but expressed the view that they did not consider the RLE zoning appropriate.
- 4.96 The Council’s s42A Report recommended the rejection of this submission stating the decision sought by the submitter was to have their site removed from the RLE zone and they based their recommendation on the interpretation that 3/864 Tukairangi Road is not proposed as rural lifestyle.<sup>57</sup>
- 4.97 The submitter did not provide further evidence or attend the hearing. Without any clarification we can only note that in relation to the adjacent properties the provisions only allow for 4 ha subdivision for those properties with a boundary with GRE, which would be the case in this situation.
- 4.98 Given that the submission was not entirely clear, and we heard no further evidence from the submitter at the hearing we accept that the adjacent properties are appropriately zoned RLE and that the subdivision rules will aid in managing reverse sensitivity issues on adjacent GRE properties.

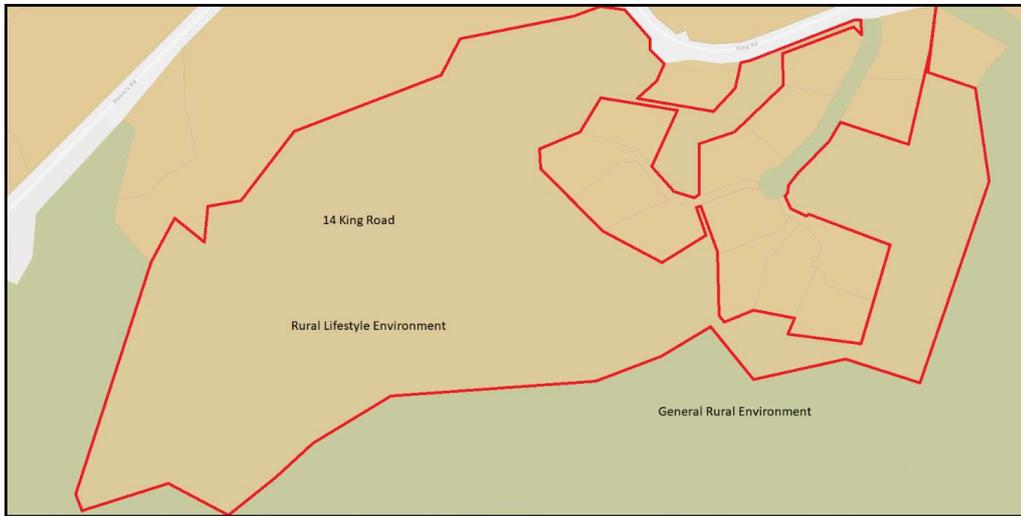
**Issue 3c: Sites that were not notified to be zoned RLE but are sought to rezoned through submission/s**

<sup>56</sup> Submission, Submitter 46, Page 6

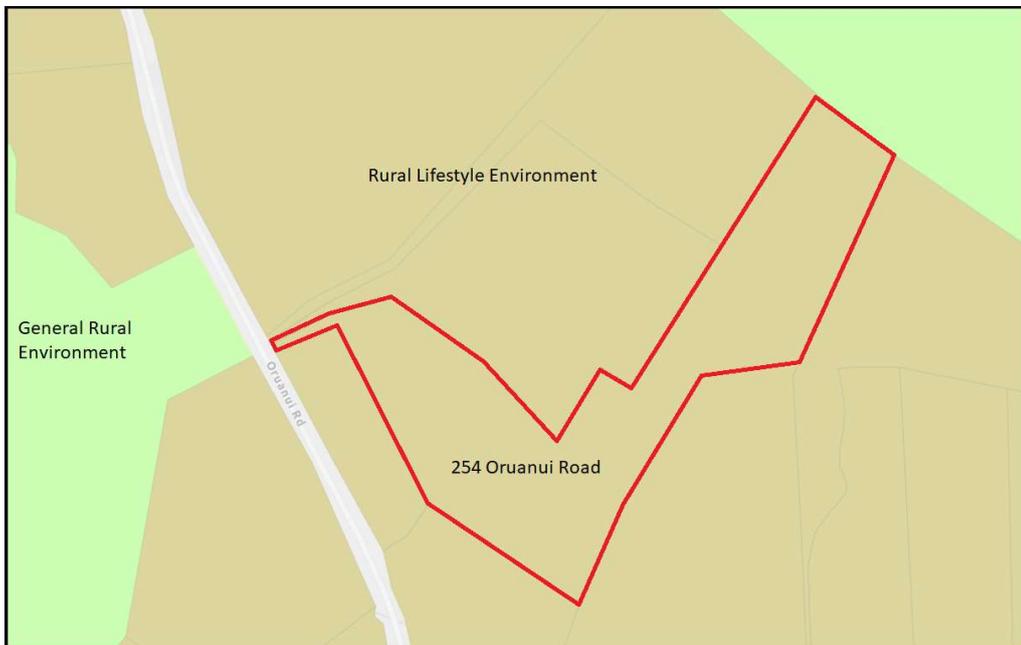
<sup>57</sup> S42A Report, Appendix 1, OS46.17, page 75  
Hearings Panel Recommendation Report 3 – PC42: General Rural and Rural Lifestyle Environments

4.99 As set out in **Table 1** above, we have recommended that two sites be 'upzoned':

- a. **Request 6:** 14 King Road – rezone GRE to RLE



b. **Request 26:** 254 Oruanui Road – rezone GRE to RLE



4.100 **Request 26** was recommended by the Reporting Officer to be upzoned, whereas **Request 6**, was recommended by the Reporting Officer to reject the rezoning.

4.101 We visited the sites of **requests 6 and 26** before and after the hearing.

4.102 We set out our reasoning in relation to our recommendations on all these requests in turn.

**Request 6: 14 King Road – rezone GRE to RLE**

4.103 As notified, this property was zoned GRE. Submitter OS60 opposed the zoning and sought it be rezoned to RLE.

4.104 The s42A Report recommended the rejection of this submission stating that this is a parent block of a cluster development with a consent notice that this block would remain as a single title.<sup>58</sup> The reporting officer maintained his position to reject this submission in the Reply Statement based on the consent notice precluding future subdivision.<sup>59</sup>

4.105 The Panel heard from the submitter’s resource management consultant at the hearing and acknowledges the evidence provided.<sup>60</sup>

4.106 We agree with the submitter that the s42A Report and Reply Statement did not detail reasonings as to why GRE is more appropriate than RLE on the basis that there is a consent notice precluding future subdivision.

4.107 The Panel disagrees with the Reporting Officer that the presence of the consent notice

<sup>58</sup> S42A Report, Appendix 1 – PC42 Summary of Decisions Requested, page 75, dated 28 July 2023

<sup>59</sup> Reply Statement, Appendix C, dated 16 October 2023

<sup>60</sup>Statement of Planning Evidence prepared by Joanne Lewis on behalf of John Olsen, dated August 2023

means that this block must remain a single title and that it should provide a default zoning to GRE, particularly when the block is essentially surrounded by a number of smaller scale lots. Therefore, the non-compliance of criterion 1 “it is in an area already characterised by existing clusters of smaller/lifestyle lots” given it has a consent notice, is a technical/legal anomaly rather than a physical attribute that deems it inappropriate to be zoned RLE and that the GRE is not considered more appropriate.

4.108 We ultimately accept the submitters evidence that states:

*“Zoning the 14 King Road property RLE would facilitate subdivision of the adjoining property at 898 Mapara Road (which PC42 proposes is zoned RLE), by providing greater flexibility in terms of lot sizes and layout (in relation to the physical characteristics of that property). As a result, I consider that one of the stated purposes of the RLE zoning, i.e. Objective 3b.3.4 (“Rural lifestyle activities within identified areas are consolidated to encourage more efficient use of the rural land resource and avoid the fragmentation of land in the General Rural Environment.”) would be better advanced if the King Road property was zoned RLE.”<sup>61</sup>*

4.109 Therefore, we accept the submission to rezone 14 King Road to RLE. In respect of a s32AA evaluation, we consider that zoning 14 King Road RLE, outlined in yellow in **Figure 4** below, would better achieve Objective 3b.3.4 and is a more effective and efficient means of achieving the purpose of the RMA and PC42.

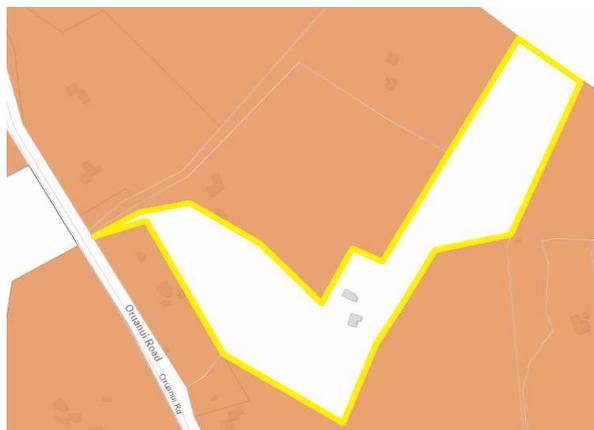


**Figure 4:** Notified Planning Maps showing 14 King Road, outlined in yellow and depicted by yellow stars. Source: Mapviewer, annotated by Panel, March 2024

<sup>61</sup>Statement of Planning Evidence prepared by Joanne Lewis on behalf of John Olsen, dated August 2023, paragraph 16, page 3

**Request 26: 254 Oruanui Road – rezone GRE to RLE**

4.110 This site was not identified to be zoned RLE on the notified maps. See **Figure 5** below.



**Figure 5:** Notified Planning Map for PC42 showing 254 Oruanui Road outlined in yellow.  
Source: Mapviewer, annotated by Panel, March 2024

- 4.111 The Submitter sought over 60 various properties, including the site at 254 Oruanui Road, be upzoned to RLE stating that this *“Provides cohesion/uniformity/continuity of character along a road, in a general area. Land is favourable for development as Lifestyle blocks due to size of property, location, topography and soil quality. Keeping potential lifestyle areas within proximity reduces the need to extend infrastructure further away from town”*.
- 4.112 The Council Reporting Officer recommended the rejection of all sites put forward by the submitter for rezoning, with the exception of 254 Oruanui Road stating that *“Accept for property 254 Oruanui Road as adjacent to an RLE location, and suitable in terms of size and land use.”*<sup>62</sup>
- 4.113 Mr Sharman returned to this submission in this Reply Statement and provided an analysis of 254 Oruanui Road in relation to the seven criteria, which it complied with and therefore confirmed that the site was appropriate to be upzoned from GRE to RLE.
- 4.114 For context, this property was subdivided following the notification of PC42. Although the property initially did not meet the criteria at the time of notification due to its size, once it was subdivided it became apparent through the hearing process that it subsequently met the criteria.
- 4.115 The Panel agrees with Mr Sharman’s assessment given that the site complies with all seven criteria. In addition, as shown on the snippet of the notified PC42 zoning maps above, the site is surrounded by RLE zoning and upzoning this site (outlined in yellow) is essentially ‘filling in the gap’ which is entirely logical, in addition to the compliance with all seven criteria.
- 4.116 Therefore, the Panel accepts and adopts Council’s recommendation to rezone this site RLE. In terms of a s32AA evaluation, the Panel considers that rezoning 254 Oruanui Road would better achieve Objective 3b.3.4 and is a more effective and efficient means of achieving the purpose of the RMA and PC42.

<sup>62</sup> S42A Report, Appendix 1, OS61.10, page 75

**Issue 3d: Sites that sought site specific provisions**

4.117 The following two other sites, although the submitters did not necessarily seek changes to the zoning, they sought site specific changes either to the provisions, which prompted the Panel to further evaluate the proposed zoning to ensure that the associated provisions were fit for purpose.

4.118 We have not recommended any zoning changes for these sites but provide further evaluation and recommendations on their submissions given the further evidence provided at the hearing:

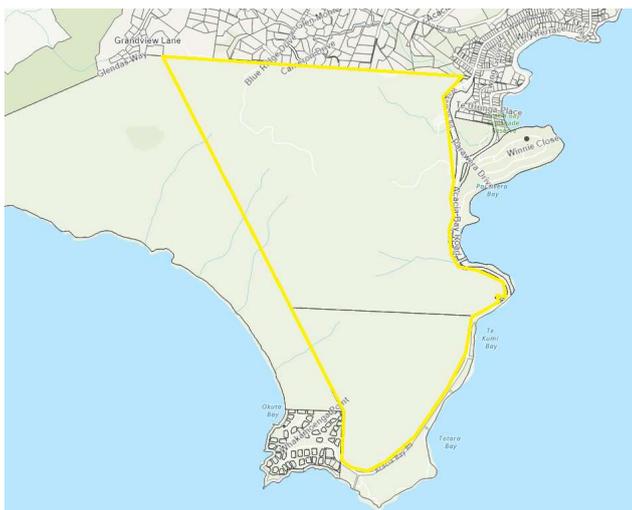
- a. **Request 7:** 34 Parawera Drive and 1114 Acacia Bay Road
- b. **Request 8:** 101 Caroline Drive, Bonshaw Park

4.119 We visited the sites of **requests 7 and 8** before and after the hearing.

4.120 We set out our reasoning in relation to our recommendations on all these requests in turn below.

**Request 7: 34 Parawera Drive and 1114 Acacia Bay Road**

4.121 These sites were notified GRE.



**Figure 6:** Notified Planning Map for PC42 showing 34 Parawera Drive and 1114 Acacia Bay Road, outlined in yellow. *Source: Mapviewer, annotated by Panel, March 2024*

4.122 This request was lodged by submitter OS41, which consists of a group of seven Trusts collectively referred to on the notice of submission as **Rangatira Block Trusts**. The seven Trusts listed on the submission form are:

- Rangatira E Trust
- The Proprietors of Hiruharama Pounui Block
- Rangatira Point Incorporation
- Paenoa Te Akau Trust
- Rangatira 8A14A (Paenoa Te Akau Block)
- Rangatira 8A16 (61 Huka Falls Road)
- Rangatira 8A17 (Nukuhau)

4.123 The submission notice, which was signed on behalf of all Trusts, states that:

*The submitters are all significant Māori land holding trusts who own all the undeveloped land on the western side of the river, from Rangatira Park, part of Nukuhau, through Acacia Bay to Rangatira Point; an area of 1500 hectares. The Submitters represent the interest of over 8,000 individuals who are mana whenua of land in Taupō and are directly impacted by these plan changes.*

4.124 The submission requested specific amendments to provisions in respect of PC38 Strategic Directions, PC42 General Rural and Rural Lifestyle Environments, and PC43 Industrial. This section of our recommendation report addresses the components of the submission relating to PC42 General Rural and Rural Lifestyle Environments. Our other recommendation Reports address the other relevant aspects of the submission.

4.125 The submission requested the following amendments for PC42<sup>63</sup>:

- a. The District Plan should recognise that Māori land has most often been forced into a rural zoning status by statutes, court rulings and planning frameworks, usually against the wishes of Māori landowners or without consultation. Amend the wording of the Introduction to incorporate this reasoning.
- b. Council has identified 5000 hectares of rural land for re-zoning as Rural Lifestyle of which 4000 hectares are on the western side of the Waikato River, none of this land is multiple owned Māori Land. There has been no consultation in regard to the proposed zone maps despite the submitters identifying to Council their desire for the RLE zone on their land, which is capable of providing all the desired outcome in the plan change documents. The submitter requested that the Rangatira blocks be rezoned from GRE to RLE as rural lifestyle.
- c. The introduction of Rural Industry will require frequent regular vehicle movements to function. The existing Rural Environment also functions on regular and frequent vehicle movements. Amend Policy 3b.2.9 by removing clause (e).
- d. The use of "Commercial and Industrial" purpose is ambiguous relative to the new definition of Rural Industry. A maximum building size in standard 4b.2.3 of 5000sqm gross appears contradictory with this standard of a restriction to 100sqm gross. This standard is the same as the Rural Lifestyle standard which suggests there has been an error. Amend Rule 4b.2.8 for clarity and co-ordination of standards.

4.126 We address each of these in turn below but first we address a procedural matter that arose at the hearing, by the parties to the submission notice, as it is relevant background to our assessment that follows.

*Panel Minute 15*

4.127 At the conclusion of the first day of hearings for PC42 a representative of Paenoa Te Akau Trust (**Paenoa**), Ms Emerina Adams, addressed the Panel in relation to concerns held by recently appointed Trustees of that Trust in relation to the scheduled presentation by Rangatira E Trust (**Rangatira E**) – Submitter 41.

4.128 At that time the Panel understood that the issues raised by Paenoa were that:

- a. The Paenoa Trustees were concerned they had no speaking opportunities at the hearings for Plan Changes 38, 42 and 43, and sought a speaking slot if possible; and

<sup>63</sup> As described in the Summary of Decisions Requested  
Hearings Panel Recommendation Report 3 – PC42: General Rural and Rural Lifestyle Environments

- b. The Trustees also asserted that there had been no consultation by Rangatira E representatives with Paenoa regarding the development and presentation of evidence in support of the submission lodged by the joint Trusts.

- 4.129 As a result of these issues raised by Paenoa, the Panel issued Minute 15<sup>64</sup>. The purpose of Minute 15 concerned two matters. Firstly, the mandate of Rangatira E and Paenoa Trusts to speak in support of the joint submission; and secondly whether the positions of Rangatira E and Paenoa (which by implication may well be contradictory) can be accommodated within the scope of the joint submission.
- 4.130 The Minute requested some relatively straight forward information from the Trusts to provide a sufficient level of confidence/reassurance that each Trust's position was being represented by person(s) with the appropriate mandate/authority to represent the views of the relevant Trust. This information was provided, and the Trusts were allocated speaking time at the hearing.

#### *The Hearing*

- 4.131 Rangatira E were represented by Mr John Lenihan at the hearing. Mr Lenihan confirmed that he was not speaking for Paenoa but for the remaining Trusts detailed on the submission notice which collectively have over 7000 owners with land of some 1430 hectares on the western side of Taupo in Acacia Bay to Nukuhau, forming what he described as the Rangatira Blocks.
- 4.132 Mr Lenihan stated that the Trusts have aspirations for high quality development on the Rangatira Blocks that allows owners to realise benefits from their land while contributing to and complementing the adjacent urban fabric of Taupō township<sup>65</sup>.
- 4.133 Mr David Gray spoke on behalf of Paenoa Te Akau Trust. Mr Gray gave an overview of the background of complex layers of issues that exist in relation to land that is subject to the submission notice. The issues relate to surveying, roading, share allocation and other matters, and he informed us that these matters are currently before the Māori Land Court. Paenoa were waiting for a determination from the Court on these matters and indicated that this was likely to be issued in October or November 2023. It was his view that the Courts decision would impact on the lands identified in the submission notice. It was for this reason that he asked the Panel to delay our recommendation. Failing that, he requested that our recommendation be that the lands concerned be retained as GRE.
- 4.134 In addition to the above, Mr Gray said that consultation between Paenoa and Rangatira E had not occurred with appropriate protocols or time and because of this they felt that their obligations as trustees could be compromised. He acknowledged that interruptions due to Covid and that there are now new trustees in place could also have had a bearing on this but ultimately the pending decision from the Māori Land Court would provide direction for their next steps.

#### *Evaluation*

- 4.135 In relation to the request to delay our recommendation to the Council, we essentially have done so but we cannot delay this indefinitely. We appreciated the openness of Paenoa and Rangatira E and acknowledge the issues identified by Paenoa in respect of the land and consultation with Rangatira E, however these are both outside of our jurisdiction. We also note that we have not received any further information or update from Paenoa as to a decision from the Māori Land Court and have therefore proceeded

<sup>64</sup> Panel Minute 15 dated 22 August 2023

<sup>65</sup> Speaking notes John Lenihan undated para 1

with our recommendation on the submission.

- 4.136 We now turn to the submission points raised in the submission. Notwithstanding the presentation from the Paenoa Te Akau Trust, it is the jointly signed submission (as outlined in in paragraph 4.122) that we must consider.
- 4.137 In response to a) above in paragraph 4.122, (concerning the claim of enforced rural zoning) the reporting officer Mr Sharman acknowledged the submitter's point, given that the Rural Environment within the district is the non-urbanised parts of the district. However, he considered that it is not the place of the district plan explanation for Rural Environments to describe this historical and entangled situation. Mr Lenihan reiterated in the hearing that the zoning of the submission lands has caused issues for the potential development of it. We acknowledge that zoning does impact on land development however we agree with Mr Sharman about the extent to which the back story needs to be recorded, and therefore accept his reasons outlined above for making no changes to the district plan explanation of the rural zoning.
- 4.138 In response to b) above in paragraph 4.122 (concerning a preference for RLE zoning as opposed to GRE), Mr Sharman recommended rejecting the submission point. He also noted that the Council is working with Rangatira E Trust on the future of the Rangatira E blocks, and that this will likely involve a structure plan process given the strategic importance of these blocks.
- 4.139 On this issue, Mr Lenihan considered that the Rural Lifestyle zone would better enable the submitters he represents to achieve their aspirations for the Rangatira E blocks and that they are suitable to be zoned as Rural Lifestyle. He provided an assessment of the land against the Council's seven criteria and concluded that the two sites (Hiruharama Point Block and Rangatira Point) qualify against those criteria<sup>66</sup>. In his opinion the s42A Report gave no satisfactory or substantive explanation of why they were rejected, and that once again Māori land is relegated into rural zoning and having to fund a structure plan and plan change while others are given the opportunity to a public plan change re-zone<sup>67</sup>.
- 4.140 During the hearing the Panel requested that Mr Sharman provide a more clearly articulated table to show how the rural lifestyle criteria was applied to properties and this was provided as Attachment C to his Reply Statement. In response to the Rangatira E blocks, he considered that they only met four of the seven criteria. The three criteria that he considered weren't met were:
- a. There is a presence or existing clusters of smaller/lifestyle lots.
  - b. Lots are smaller than 30ha (unless completely surrounded by smaller rural lifestyle blocks).
  - c. Location relevant to overlays such as Outstanding Natural Landscapes
- 4.141 The Panel agrees with Mr Sharman and accepts his assessment of the sites against the criteria. The sites are not themselves part of a cluster of smaller blocks, but the two properties are adjacent to the Acacia Bay urban area (to the north) and the Rangatira Point development (to the south-west). The two blocks are of 326ha and 110ha much larger than the benchmark of 30ha, and one block is entirely a SNA.
- 4.142 We acknowledge that the Council is working with Rangatira E Trust on the future of the Rangatira E Trust blocks and that this will likely involve a structure plan process given the strategic importance of these landholdings. The Panel encourages this

---

<sup>66</sup> Speaking notes John Lenihan undated para 7

<sup>67</sup> Speaking notes John Lenihan undated para 7

process and encourages this to be extended so that Council actively works with other Trusts administering Māori land to endeavor to understand and reach their aspirations. We also acknowledge that there have been issues in the past but hope that the parties can work together to enable their respective aspirations for their land to be achieved.

- 4.143 In response to c) above in paragraph 4.122 (regarding Policy 3b.2.9), Mr Sharman recommended that this submission point be rejected. In his view the phrase 'infrequent vehicle movements' in Policy 3b.2.9 is intended as a relative term to urban retail and commercial land uses such as a supermarket or drive-through restaurant, and is 'infrequent' in the sense of measured across a seven day week and a 24 hour day, which is considered to characterise the vast majority of rural land uses. We agree with Mr Sharman and observe that rural land uses that exceed the vehicle movements threshold in the performance standard will require resource consent and be considered against the objectives and policies.
- 4.144 In response to d) above in paragraph 4.122 (regarding Rule 4b.2.8), Mr Sharman recommended accepting this in part, as the submission point is broad given it covers both policy and rule provisions, but the words "excluding rural industry" have been added in response to other submissions for clarity. He also noted that performance standards are still necessary to manage the scale of an activity, as otherwise limitless size of buildings and scale of activity would result in unintended consequences. We agree with Mr Sharman's recommendation and accept his reasons.

*Conclusion*

- 4.145 We acknowledge the difficulties that the Trusts have faced in respect of their lands, the potential development of them, and the protection/enhancement of the various values that are associated with them. While a future process was not entirely supported by Rangatira E as the zoning of Rural Lifestyle was their preferred outcome, we nevertheless find Mr Sharman's analysis compelling and thus recommend that the land subject to this submission be retained as GRE.
- 4.146 The above aside, we are cognisant of the National Planning Standards which have introduced the 'Māori Purpose Zone'. The National Planning Standards description for the Māori Purpose Zone is '*Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities*'<sup>68</sup> and we consider that any future rezoning exercise should at least consider whether such a zoning may have some application to the land owned by the various Trusts as this could well contribute to the aspirations of the Trusts. However, that is for a future process and in the meantime the land is recommended to remain rural and we encourage the continuation of the process that has been embarked on between the Council and the Trusts.

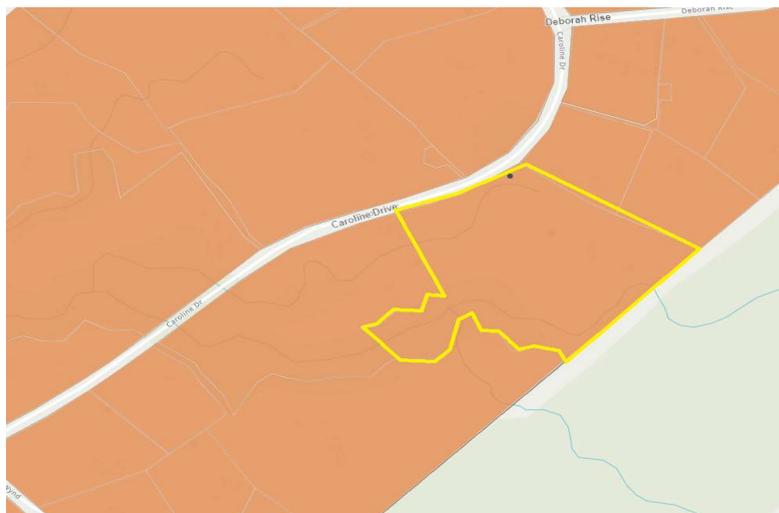
***Request 8: 101 Caroline Drive, Bonshaw Park***

- 4.147 This site was notified as RLE, which the submitter supported. The submitter<sup>69</sup> presented at the hearing in support of the RLE but sought that a new set of objectives, policies and rules in relation to subdivision seeking that lots of 1-2 hectares be allowed where the agricultural value is lower.<sup>70</sup>

<sup>68</sup> National Planning Standards page 38

<sup>69</sup> OS117

<sup>70</sup> Submitter evidence OS117



**Figure 7:** Notified Planning Map for PC42 showing 101 Caroline Drive, outlined in yellow.  
 Source: Mapviewer, annotated by Panel, March 2024

- 4.148 Mr Sharman’s Reply Statement provided a further analysis of the proposed zoning of this site and confirmed that it meets all seven criteria to be rezoned RLE.<sup>71</sup>
- 4.149 However, the submitters key concern related to the subdivision rules that restrict lot size to 4ha where a site adjoins the GRE zone, which the submitter site adjoins along the southern eastern boundary as shown in **Figure 7** above.
- 4.150 The Panel discussed this matter with the submitter at the hearing, stating the outcome the submitter was seeking, ultimately to subdivide the site into 2ha lots, could be possible under the proposed subdivisions rules but would need to do be carried out as a staged subdivision to create a 4ha lot in the first stage and then a then second stage for the 2ha ‘internal RLE zone’ lot where it does not adjoin the GRE zone.
- 4.151 On this basis, we accept that the notified zoning is appropriate given it complies with the seven criteria and that the outcome the submitter is seeking does not require a bespoke or site specific subdivision rule as the current provisions provide for a 2ha if carried out in a staged approach.
- 4.152 Therefore, the Panel rejects this submission that bespoke subdivision rules should apply and considers the notified zoning is appropriate.

**Summary of rezoning recommendations**

- 4.153 **Table 1** above shows the summary of all our recommendations in relation to rezonings.
- 4.154 For the reasons set out above, we have only recommended a total of four sites to be rezoned, one site to be down zoned and three sites to be upzoned from the notified mapped zoning proposed by PC42, which are set out in **Table 2** below.

<sup>71</sup>Attachment C to Mr Sharman’s Reply Statement

**Table 2:** Panel’s Recommendation for rezoning

Unique Zoning Request Identifier No:	Site(s) physical address Submitter #	Request	Panel recommendation
6	<i>Site: 14 King Road Submitter: #60</i>	Upzone GRE to RLE	Accept
14	<i>Site: 208 Tukairangi Road Submitter: #11 and #61</i>	Rezone GRE to RLE	Accept
26	<i>Site: 254 Oruanui Road and 208 Tukairangi Road Submitter: #61</i>	Upzone GRE to RLE	Accept

## 5 Statutory Considerations

### Summary of statutory requirements

- 5.1 The statutory requirements for the preparation and consideration of the contents of a District Plan are set out in s31, 32, and 72-77D of the RMA.

### Part 2 of the RMA

- 5.2 The Act's purpose and principles are set out in Part 2 of the Act.
- 5.3 Section 5 explains that the Act's purpose is to promote the sustainable management of natural and physical resources.
- 5.4 The Panel accepts and adopts the initial evaluation of Part 2 matters in the s32 and the subsequent changes to PC42 recommended by the s42A and Reply Statement assessments reflect the importance of Part 2 of the RMA specifically, Sections 5, 6 (b), (c), (e) and (g), 7 (a), (b), (ba), (c), (d), (f), (g) and (j) and Section 8.
- 5.5 Furthermore, there was no evidence before us to suggest that there are areas of invalidity, incomplete coverage or uncertainty in the Plan or intervening statutory documents such that any detailed evaluation of Part 2 is required.

### Council's function and purpose of PC42

- 5.6 The Council has extensive functions under s31 of the RMA for the purpose of giving effect to the Act's sustainable management purpose, as follows:

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) *The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district (section 31(1)(a)).*
- (aa) *The establishment, implementation, and review of objectives, policies and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (section 31(1)(aa)).*
- (b) *The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of –*
- (i) *the avoidance or mitigation of natural hazards; and*
- (ii) *repealed*
- (ia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
- (iii) *the maintenance of indigenous biodiversity:*
- (c) *Repealed*
- (d) *the control of the emission of noise and mitigation of the effects of noise:*
- (e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes*
- (f) *any other functions specified in this Act (section 31(1)(b)).*

*(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision (section 31(2)).*

5.7 The purpose of PC42 is to update the Rural Environment provisions to strengthen the provisions to protect the rural environment's rural functions and protect it from urbanisation, consolidate rural lifestyle opportunities within existing areas and ensure that the district plan allows for appropriate and sustainable alternatives to farming, through the creation of new objectives, policies, rules and performance standards.

5.8 This purpose of PC42 is in line with the functions of a territorial authority. In addition, the approach adopted in the plan change is consistent and with the approach set out in the 2019 National Planning Standards<sup>72</sup> and the proposed objectives, policies, rules and performance standards are the most appropriate way to achieve the purpose of the RMA.

#### Relevant Policy Considerations

5.9 We have also given consideration to PC42 consistency with Section 75(1) of the RMA, which requires a District Plan to state the objectives for the District, any policies to implement the objectives, and the rules (if any) to implement the policies.

5.10 As discussed in our evaluation above, the Panel were mindful throughout the hearings process that there was consistency between the Strategic Direction objectives and policies of PC38 and PC42. We accept and adopt Mr Sharman s42A, Reply Statement and subsequent responses to our questions that PC42 is consistent with the relevant Strategic Directions Objectives and Policies set out in PC38, particularly the rules contained within PC42 to implement the Strategic Directions.

#### National Policy Statements

5.11 When Bundle One Plan Changes were notified on 14 October 2022, the following National Policy Statements (NPSs) were in force:

- NPS for Renewable Electricity Generation 2011;
- New Zealand Coastal Policy Statement 2010;
- NPS on Electricity Transmission 2008; and
- NPS for Freshwater Management 2020;
- NPS on Urban Development 2020

5.12 We accept that New Zealand Coastal Policy Statement has no relevance to the Taupō District.

5.13 By virtue of s75(3) of the RMA, PC42 is required to give effect to the provisions of these documents, where relevant.

5.14 As set out above in paragraphs 2.25-2.26, the period between the close of submissions and the commencement of hearings of the Bundle One Plan Changes 2023, three days after the Plan Changes were notified, a new NPS on Highly Productive Land (**NPS-HPL**) came into force on 17 October 2022. Therefore, it is a statutory requirement that PC42 must give effect to the NPS-HPL.

5.15 We accept and adopt Mr Sharman's s42A response to this matter and his recommendation for a new policy 3b.3.15 Highly Productive Land provides for recognition of the NPS-HPL.<sup>73</sup>

<sup>72</sup> s42A Report, prepared by Mr Sapsford, para 12, page 6, dated 3 July 2023

<sup>73</sup> s42A Report, prepared by Mr Sapsford, para 134, page 34, dated 3 July 2023

5.16 In addition, the National Policy Statement for Indigenous Biodiversity (**NPS-IB**) was also gazetted on 7 July 2023. Therefore, it is a statutory requirement that PC42 must give effect to the NPS-IB.

5.17 We accept and adopt Mr Sharman's s42A assessment of the NPS-IB acknowledge that the identification of SNA's is outside the scope of PC42 and agree that:

*"The only area of overlap is in respect of the Rural Environment subdivision and 'bonus lot' provisions where an SNA is being protected via a covenant as part of a subdivision process. These provisions remain largely unchanged from the ODP and during formulation of the PC42 amended provisions were basically a 'roll over' of the ODP provisions. TDC will in future prepare a plan change in direct response to NPS-IB. There is not considered any other relevance of the NPS-IB to PC42 decision-making."*<sup>74</sup>

5.18 Overall, are satisfied that PC42 is not contrary to any NPS.

### The Regional Policy Statements

5.19 As with the NPSs, the Regional Policy Statements (**RPS**) must be given effect to by PC42.

5.20 We acknowledge that there is a level of complexity in relation to the RPS given that there are four relevant RPS's in relation to the six Plan Changes as follows:

- Waikato Regional Policy Statement
- Horizons Regional Policy Statement
- Bay of Plenty Regional Policy Statement
- Hawkes Bay Regional Policy Statement

5.21 We accept the findings of the s32 report in relation to the relevant **RPS's** and the comprehensive assessment of the relevant objectives and policies of the four regional policy statements set out in Appendix 2 of s32 report.<sup>75</sup>

5.22 Furthermore, no additional evidence was lodged in respect of the assessment of RPS's.

5.23 Overall, we consider that PC42 has adequately given effect to the above RPS's set out above in paragraph 5.20.

### National Environmental Standards

5.24 There are nine National Environmental Standards (NESs) currently in force:

- NES for Storing Tyres Outdoors 2021;
- NES for Freshwater 2020;
- NES for Marine Aquaculture 2020;
- NES for Plantation Forestry 2017;
- NES for Telecommunication Facilities 2016;
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011;
- NES for Electricity Transmission Activities 2009;
- NES for Sources of Human Drinking Water 2007; and
- NES for Air Quality 2004.

5.25 We accept and adopt the initial s32 evaluation setting out that all of the above NES's

<sup>74</sup> s42A Report, prepared by Mr Sapsford, Section 3.4, page 13, dated 3 July 2023

<sup>75</sup> s32 Report – PC38, Appendix 2. Undated

<sup>75</sup> s32 Report – PC42, Page 14-15. Undated

with the exception of NES-Marine Aquaculture 2020 are relevant to PC42 and that PC42 is not inconsistent with the eight relevant NES's.<sup>76</sup>

#### Other statutory considerations

- 5.26 The requirement under s74 of the RMA to give regard to matters when preparing a plan extends beyond those documents referred to above to include:
- a. National Planning Standards;
  - b. Management plans and strategies prepared under other Acts;
  - c. Relevant entries on the New Zealand Heritage List / Rārangi Kōrero;
  - d. The plans or proposed plans of adjacent territorial authorities; and
  - e. Iwi management plans
  - f. District Policy and Strategies
- 5.27 The Council has demonstrated its regard to these matters in preparing PC42, the s42A Report and Reply Statement and specifically detailed relevant information relating to s74 matters. The Panel has also had regard to the relevant matters to the extent relevant to our role.
- 5.28 The purpose of the first set of National Planning Standards that came into force in 2019 is to improve the efficiency and effectiveness of New Zealand's planning system by providing a nationally consistent structure, format, definitions, noise and vibration metrics and electronic functionality and accessibility for district and other RMA plans.
- 5.29 Within the Taupō District there are the following iwi management plans:
- Central North Island Forests Iwi Collective (CNI) He Mahere Pūtahitanga (2018)
  - Te Arawa River Iwi Trust (TARIT) Environmental Management Plan (2021)
  - Ngāti Tūwharetoa Environmental Iwi Management Plan (EIMP) (2003)
  - Ngāti Tahu - Ngāti Whaoa Iwi Environmental Management Plan (IEMP): Rising above the mist - Te aranga ake i te taimahatanga (2019)
  - Raukawa Environmental Management Plan: Te Rautaki Taiao a Raukawa (2015)
- 5.30 The s32 evaluation of PC42 sets out the analysis of each of the Iwi Management Plans in addition to other District Policies and Strategies, such as the Taupō District Growth Strategy 2050.
- 5.31 We accept and adopt that PC42 is consistent with the relevant iwi management plans and District Policies and Strategies as set out in s32 evaluation.<sup>77</sup>

#### Summary of Statutory Requirements

- 5.32 We accept and adopt the s32 and additional responses provided through the s42A and Reply Statement assessments. Overall, we consider PC42 is consistent with the policy framework of the relevant NPS's, NES's, RPS's, iwi management plans and the Resource Management Amendment Act.

---

<sup>77</sup>Plan Change 42: s32 Evaluation Report, Page 17-18

## 6 Conclusion

- 6.1 For the reasons summarised above, we recommend the adoption of a set of changes to the PC42 provisions relating to the Rural Environments Chapter. Our recommended amendments are shown in **Appendix 3**.
- 6.2 Overall, we find that these changes will ensure that PC42 better achieves the purpose of the RMA compared to the existing Operative Taupō District Plan provisions.
- 6.3 Our recommended decisions, except as outlined in this report where they vary from the 42a recommendations, in terms of the acceptance or rejection of submissions are shown in **Appendix 2**.
- 6.4 **Appendix 4** contains the amended provisions as notified and with accepted recommendations by the Panel, including mapping amendments.
- 6.5 **Appendix 5** contains the individual zoning request evaluations for all 26 unique requests.
- 6.6 Appendix **6** contains the Panel's full recommendation on Submitter 074 Rezoning Request.

DATED THIS 8<sup>th</sup> DAY OF MAY 2024



---

DJ McMahon  
Chair



---

EA Burge  
Independent Commissioner



---

K Taylor  
Councillor

**APPENDIX 1: Schedule of attendances**

**Present for the entire hearing were:**

- Commissioners: David McMahon (chair), Liz Burge, Councillor Kevin Taylor.
- Taupō District Council Staff: Hilary Samuel and Haydee Wood
- Section 42a writer: Craig Sharman (Beca).

**Day 1 Hearing Attendance – 21/08/23.**

<b>Name</b>	<b>Organisation</b>	<b>In person/online</b>
Mikayla Parnwell	Taupō District Council	In person
Kim Smillie	Taupō District Council	In person
Hannah Lightfoot	Taupō District Council	In person
Aidan Smith	Taupō District Council	Online
Andrew Wilson	Taupō District Council	Online
Erin OCallaghan	Taupō District Council	Online
Fiona Bramwell	Taupō District Council	In person
Heather Williams	Taupō District Council	In person
Kendall Goode	Taupō District Council	In person
Kirsteen McDonald	McKenzie & Co	Online (Submitter & speaker)
Lisa Ahn	Taupō District Council	In person
Natalie Foran	Manawa Energy	Online
Nick Carroll	Taupō District Council	Online
Pauline Whitney	Transpower New Zealand	Online
Philip Caruana	Taupō District Council	Online
Tanya Wood	Taupō District Council	In person
Sarah Hunt	Cheal Consultants	In person (Submitter & speaker)
Devon Allen	Cheal Consultants	In person
Kayley Simmons	Cheal Consultants	In person
Jerome Feuillade	McKenzie & Co	Online (Submitter & speaker)
Karen Murray	Taupō District Council	In person
Louise Wood	Taupō District Council	In person
Joanne Lewis	Lewis Consultancy	In person (Submitter & speaker)
Romae Calland	Manawa Energy	Online (Submitter & speaker)
Mark Chrisp	Contact Energy	In person (Submitter & speaker)
Nick Schuler	McKenzie & Co	In person (Submitter & speaker)
Kynan Thomsen	McKenzie & Co	In person (Submitter & speaker)
Emily Harrington	Taupō District Council	In person
Mike Stevens	Contact Energy	In person (Submitter & speaker)
John Lenihan	Rangatira Block Trusts	Online
Josie Spillane	Chief Executive of Taupō Motorsport Park.	Online
Nicola Foran	Manawa Energy	Online (Submitter & speaker)
Hayley Stronge	Harrison Grierson – Mercury Energy	In person (Submitter & speaker)

Matt Stulen	Contact Energy	In person
Fraser Graafhuis	Mercury Energy	Online (Submitter & speaker)
Tony Michelle	New Zealand Agricultural Aviation Association	Online (Submitter & speaker)
John Funnell	Public	In person
Michael Allan	Wairarapa Moana	In person
Emerina Adams	Paenoa Te Akau Trust	In person
Stephanie Blick	Director and Principal Planner of Scope Planning Limited.	In person
Ian Brittan	Landowner	In person (Submitter & speaker)
Cheryl Rameka	Public	In person
Janet McKenzie	Public	In person
Scott Olsen	Representing John Olsen	In person (Submitter & speaker)

**Plan Change 42 Day 2 Hearing Attendance – 22/08/23**

<b>Name</b>	<b>Organisation</b>	<b>In person/online</b>
John Tupara	Paenoa Te Akau Trust	In person
Pauline Whitney	Transpower New Zealand	In person (submitter & speaker)
Rebecca Eng	Transpower New Zealand	In person (submitter & speaker)
Hein Pretorius	Transpower New Zealand	In person (submitter & speaker)
George Asher	Te Kotahitanga o Ngati Tuwharetoa	In person (submitter & speaker)
Aidan Smith	Taupō District Council	Online
Andrew Wilson	Taupō District Council	Online
Erin OCallaghan	Taupō District Council	Online
Fiona Bramwell	Taupō District Council	Online
Heather Williams	Taupō District Council	In person
Jo Cook Munro	Federated Farmers of New Zealand	Online
Kendall Goode	Taupō District Council	In person
Lisa Ahn	Taupō District Council	Online
Natalie Healy	Rangatira 8A16 Block	Online
Nick Carroll	Taupō District Council	Online
Philip Caruana	Taupō District Council	Online
Tanya Wood	Taupō District Council	In person
John Peters	Landowner	In person (Submitter & speaker)
James Ryan	Manawa Energy	Online
Jane Penton	Lakes and Waterways Action Group (LWAG)	In person (Submitter & speaker)
Dominic Adams	Balance Agri-Nutrients	In person (Submitter & speaker)
Lynette Wharf	Horticulture New Zealand	Online (Submitter & speaker)
Sarah Cameron	Horticulture New Zealand	Online (Submitter & speaker)
Hannah Lightfoot	Taupō District Council	In person

Karen Murray	Taupō District Council	Online
Kim Smillie	Taupō District Council	In person
Louise Wood	Taupō District Council	Online
Emily Harrington	Taupō District Council	In person
Anna Pol	Landowner	In person (Submitter & speaker)
Phillip Greaves	Landowner	In person (Submitter & speaker)
Mark Westbrook	Landowner	In person (Submitter & speaker)
Richard Milner	New Zealand Helicopter Association	Online (Submitter & Speaker)

**Plan Change 42 Day 3 Hearing Attendance - 23/08/23.**

<b>Name</b>	<b>Organisation</b>	<b>In person/online</b>
Erin OCallaghan	Taupō District Council	In person
Fiona Bramwell	Taupō District Council	In person
Heather Williams	Taupō District Council	In person
Louise Wood	Taupō District Council	In person
Philip Caruana	Taupō District Council	In person
Lisa Ahn	Taupō District Council	In person
Hannah Lightfoot	Taupō District Council	In person
James Gardner-Hopkins	Submitter 74 - Project Leader	In person (Submitter & speaker)
Steve Hawkins	Submitter 74 – The Submitter	In person (Submitter & speaker)
Dave Mansergh	Submitter 74 - Landscaper	In person (Submitter & speaker)
Lauren White	Submitter 74 - Designer	In person (Submitter & speaker)
Alan Blyde	Submitter 74 - Engineer	In person (Submitter & speaker)
Don McKenzie	Submitter 74 - Transportation	In person (Submitter & speaker)
Andrew Cumming	Submitter 74 – Planning advisor	In person (Submitter & speaker)
Stephanie Blick	Submitter 74 – original planning expert – peer review and strategic role now.	Online (Submitter & speaker)
Fraser Colegrave	Submitter 74 - Economics	Online (Submitter & speaker)
Treff Barnett	Submitter 74 - Ecology	Online (Submitter & speaker)
James Winchester	Simpson Grierson	Online
Natalie Healy	Rangatira 8A16 Trust	Online
Tanya Wood	Taupō District Council	Online
Mike Phillips	Te tui Owner	In person
Stan Sickler	Bayleys Real Estate	In person
Karen Murray	Taupō District Council	Online
Kendall Goode	Taupō District Council	Online
Kim Smillie	Taupō District Council	Online

**Plan Change 42 Day 4 Hearing Attendance 24/08/23.**

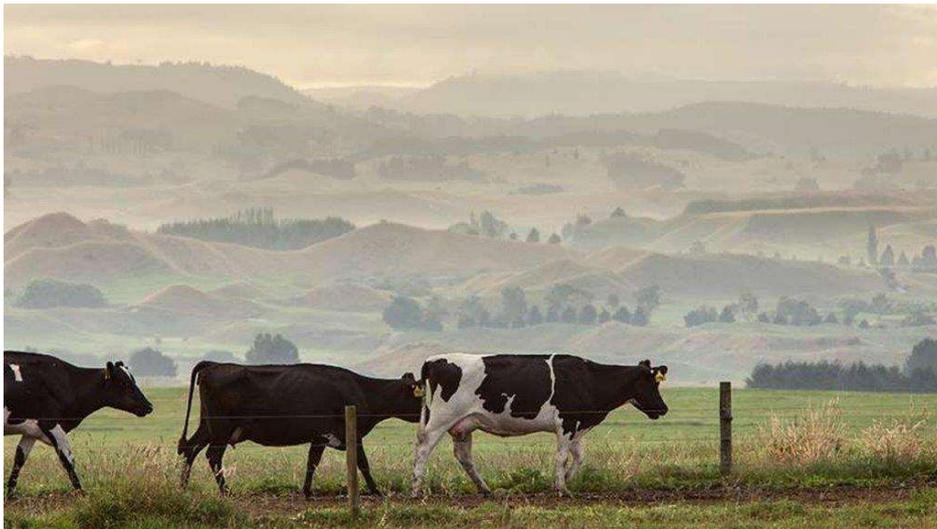
<b>Name</b>	<b>Organisation</b>	<b>In person/online</b>
-------------	---------------------	-------------------------

Samuel Gray	Landowner	In person (Submitter & speaker)
Caroline Gray	Landowner	In person
Duncan Whyte	Tauhara Quarries	Online (Submitter & speaker)
Heather Williams	Taupō District Council	Online
Natalia Healy	Rangatira 8A16 Trust	Online
Dudley Clemens	Tauhara Quarries	Online (Submitter & speaker)
Adair Jeffries	Landowner	In person (Submitter & speaker)
Emirena Adams	Paenoa Te Akau Trust	In person
Kendall Goode	Taupō District Council	Online
Andrew Wilson	Taupō District Council	Online
Lisa Ahn	Taupō District Council	Online
Fiona Bramwell	Taupō District Council	Online
Jess Sparks	Taupō District Council	Online
John Lenihan	Rangatira E Trust	Online
Louise Wood	Taupō District Council	Online
Sally Strang	Manulife Forest Management	In person (Submitter & speaker)
Jackie Egan	New Zealand Forest Managers	In person (Submitter & speaker)
Kara Scott	Taupō District Council	Online
Luke Rikiti	Rangatira E Trust	Online (Submitter & speaker)
Kim Smillie	Taupō District Council	Online
Karen Murray	Taupō District Council	Online
Alex Wilson	Rangatira E Trust	Online (Submitter & speaker)
Luke Braithwaite	Waka Kotahi	Online (Submitter & speaker)
Kaaren Rosser	EnviroWaste New Zealand	Online (Submitter & speaker)
Robert Swears	Waka Kotahi	Online (Submitter & speaker)
Debs Morrison	Landowner	In person (Submitter & speaker)
Stephen Chiles	Waka Kotahi	Online (Submitter & speaker)
Aho Chase		In person
Adele Barsdell		In person
Hazel Chase		In person
Tane Lawless		In person
Arareina Williams		In person
Puti-Ruhaina Isaacs		In person
Brian H		In person
Skyla Keremete		In person
Katarina Falasitale		In person
Thomas Ritete	Paenoa Te Akau	In person
David R	Tūwharetoa	In person
Cheryl Callaghan	Rangatira E	In person
Wairaka Koko	Rangatira E	In person
Cheryl Rameka		In person
Gal Rameka		In person

Pukehuia Henry		In person
Lisa Wi	Rangatira E	In person
David Grey	Paenoa Te Akau	In person
Alex Grey	Rangatira E	In person
Tawia Chase Rakete	Paenoa Te Akau	In person
Geoff R	Rangatira E	In person
John Tupara	Paenoa Te Akau	In person
Robert Wikohika	Rangatira E	In person
Ariana Hunia	Paenoa Te Akau	In person
Tohiariki Hunia	Paenoa Te Akau	In person
Gloria Newton	Rangitopeoroa Whanau Trust	In person
Maxeen Newton		In person
Caprice Singh	Paenoa Te Akau	In person
Marama Rahetau	Paenoa Te Akau	In person
Whahaeke Riritie	Paenoa Te Akau	In person
Hayden A	Paenoa Te Akau	In person
Derek Rakatau	Paenoa Te Akau	In person
David Davies	Paenoa Te Akau	In person
Ion Tahau	Paenoa Te Akau	In person
Donna Hemopo	Tūwharetoa	In person
Leeann Wall	Tūwharetoa	In person
William Keremete	Tūwharetoa	In person
Te Aka Wall	Tūwharetoa	In person
W Ratakau	Tūwharetoa	In person
H Zeeley		In person
Ngahuia Carrington	Tūwharetoa	In person
Pettrina De Young		In person
Emmaraina Clark	Ngāti Te Urunga	In person
Leslie Keremate	Waipahihi Marae	In person
Aroha Julian		In person
Riki Julian		In person

**APPENDIX 2: Section 42a Report recommendations on each submission point.**

**APPENDIX 3: Recommended amendments to Plan Change 42 – Tracked from notified version**



**Plan Change 42 to the Taupō District Plan  
General Rural and Rural Lifestyle Environments**

(Panel Recommended Version April 2024)



Taupō District Plan  
Changes 2022

**Introductory note**

This boxed text is NOT part of the Plan Change but simply introductory text.

Plan Change 42 as notified shows new text inserted as green and text to be deleted is in red and has ~~strike through~~. Note that the entire operative Rural Chapter was deleted and followed this proposed new text.

Panel recommendations which are also shown in blue text (insertions underlined, deletions ~~struck out~~). These include further amendments in response to submissions, through the hearing process and received on Plan Change 42 (as recommended within the section 42A report on 28 July 2023) and recommendations as reflected in the Section 42A Reply Statement dated 16 October 2023 following the Plan Change 42 hearings

The complete Taupō District Plan is on the Council website at [www.taupo.govt.nz](http://www.taupo.govt.nz)

Please note that this plan change includes map changes that can be found at [www.taupo.govt.nz/districtplanchanges](http://www.taupo.govt.nz/districtplanchanges)

## Amendments to the Operative Taupō District Plan - Section 10 Definitions

**Bonus Lot** - allotments created within the **General** Rural Environment under rule 4b.53.79 which are associated with the formal protection of **no less than 4ha of part or all of** a **N**ominated Significant Natural Area.

**Buildings for the management of farmed animals** - for the purposes of rule 4b.2.6 only, includes, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, ~~animal~~pet boarding facilities and stables. Buildings housing animals do not include a residential unit accommodating household pets such as cats and dogs. Buildings with floor area of 150m<sup>2</sup> or less are exempt from this definition.

**Greenhouses** - means a structure enclosed by glass or other transparent impermeable material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.

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

**Intensive indoor primary production** - means primary production activities that principally occur within buildings and that involve growing ~~fungi~~ produce or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.

**Land Based Primary Production** - means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.

**Minor residential unit (in relation to the Rural Environments)** - means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.

**National Grid Subdivision Corridor** - means the area measured 37m either side of the centreline of above ground National Grid 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers) either side of the centreline of above ground National Grid transmission lines as follows (and illustrated in Appendix):-

- ~~37 metres for 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers);~~
- ~~39 metres for 350kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).~~

National Grid Support Structure – means a pole or tower that is part of the National Grid.

National Grid Yard – The area located within: 12m in any direction from the visible outer edge of a National Grid tower; ~~or 10m in any direction from a National Grid single pole or pi-pole;~~ or the area located within 12m either side of the centre line of any overhead National Grid line on towers. The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

**Nominated Significant Natural Area** - A contiguous area of Significant Natural Area which is no less than 4ha and is associated with the creation of a Bonus Lot.

**Papakāinga** = for the purposes of the Taupō District Plan, Papakāinga is defined as:

- ~~Any dwellings erected to exclusively house members of the same whanau, hapu or iwi on land which is owned by the whanau, hapu, or iwi, and;~~
- ~~is located on Maori land within the meaning of Section 129 (1) (a, b or c) of Te Ture Whenua Maori Land Act 1993, and~~
- ~~is consistent with any licence to occupy Maori land that has been issued by the Maori Land Court.~~

**Papakāinga** - Any dwelling or dwellings and associated social (including health), cultural and economic activities on Māori land which is owned by the whanau, hapū or iwi, that enables the occupation of that land by members of the same whanau, hapū or iwi.

- Māori land is within the meaning of Section 129 (1) (a, b or c) of the Te Ture Whenua Māori Land Act 1993, and
- Is consistent with any license to occupy Māori land that has been issued by the Māori Land Court

Primary production – means:

- any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- excludes further processing of those commodities into a different product.

Primary residential unit – has the same meaning as ‘dwelling’.

Renewable Electricity Generation - means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.

Renewable Electricity Generation Activities - means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

Reverse Sensitivity - means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity: is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.

Rural Industry - an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to, forestry, agriculture, dairy farming and geothermal electricity generation: means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.

Sensitive Activities (in the National Grid Yard) means:

a. residential activity;

b. marae;

c. hospital;

d. healthcare activity;

e. educational facility and preschools;

f. retirement village;

g. guest or visitor accommodation activity;

h. place of assembly; or

i. papakāinga.

Stock Proof Fence - A 9 or 10 wire fence as described in Schedule 2.7 of the Fencing Act 1978.

## **Amendments to the Operative Taupō District Plan - Section 3 Objectives and Policies**

### **3b RURAL ENVIRONMENT CHAPTER**

#### **3b.1 Introduction**

The Rural Environment makes up most of the land within the District and has been categorised into two distinct areas, being the General Rural Environment and the Rural Lifestyle Environment. These separate areas highlight the increasing need to protect the open space characteristics of the Rural Environment and its production values, while also providing for the growth of the District and the demand for rural lifestyle living in specific locations.

The Rural Environment also contains sites that are of significance, some of these are identified as Outstanding Landscape Areas. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the productive nature of the land, the rural level of infrastructural services and the amenity values 3b.2.3 of the landscape, as well as managing effects and enabling rural lifestyle living in appropriate areas. Other activities that are anticipated in the Rural Environment are [Rural Industry](#), tourism activities, visitor accommodation and Renewable Electricity Generation and transmission. It is important that all such activities do not affect the ability of the rural environment to function effectively, [recognising that some activities have specific locational or operational needs that must be accommodated](#). It is also important to acknowledge that existing, lawfully established activities in the Rural Environment are able to continue operating and that activities that choose to locate in close proximity to these activities are aware of the effects they can generate and that the Rural Environment is the best location for these activities, [and do not limit or restrain those activities](#). It is expected in the Rural Environment that all properties are self-servicing in terms of the provision of potable water and the disposal of stormwater and wastewater.

The papakāinga provisions recognise the intent of Part 2 of the RMA and provide for the occupation by whanau, hapū or iwi members on Māori land. The provisions recognise the importance of enabling Māori to settle on their ancestral lands. Papakāinga development will often be at higher densities than other residential land uses in the rural environment. Papakāinga may also have associated social, cultural or commercial aspects to support the community who reside there.

In addition to papakāinga there is a wide range of cultural activities and activities of importance to Māori which are appropriate to occur within the rural environment.

### General Rural Environment

The General Rural Environment is predominantly characterised by large open space and vegetated areas including productive farmland and forest, ridgelines, native bush, lakes, rivers and their margins. Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy [sources](#) and plantation forestry activities, with dispersed buildings and rural roads. There is also a wide range of development associated with tourism activities, recreation, and the District is one of New Zealand's most significant for the generation, storage and transmission of renewable electricity.

The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land [and other natural resources](#) within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for, yet allowing appropriate development to occur while preserving the 'openness' [rural character](#) of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, [renewable electricity generation activities](#), and rural industry, [meaning an activity being activities](#) that directly supports, services, or [is are](#) dependent on primary production and/or [has](#) a locational [or functional](#) need to be within the General Rural Environment (rather than an urban environment).

[Primary production a](#) Activities in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust. Allowing these activities to operate in a more suitable environment, along with compatible activities, aims to protect rural land uses from unnecessary restrictions.

The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production and/or [have](#) a [locational functional or operational](#) need to be within the General Rural Environment. This is to avoid the uptake of General Rural Environment land by activities which are provided for in other Environments and may therefore impact on the land available for primary production activities within the General Rural Environment.

### Rural Lifestyle Environment

The Rural Lifestyle Environment has been created to address the increasing demand for rural lifestyle living within the Rural Environment. The Rural Lifestyle Environment aims to provide for rural residential development in specific locations for those who want the benefits of rural living without necessarily undertaking a productive rural activity.

By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production and other activities predominating in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the open space characteristics rural character and the productive potential of the rest of the Rural Environment, and to reduce the potential for land use conflict.

The Rural Lifestyle Environment will be less populated than a Residential Environment, with standards in place for minimum lot sizes to preserve the rural residential aspect of the area. Limited provision is also made for home business and commercial activity to occur, but not of a scale or extent that changes the predominantly rural residential amenity and character intended. The Rural Lifestyle Environment areas are located closer in proximity to urban areas to allow for access to community facilities within the district's townships.

### **3b.2 Objectives and Policies - General Rural Environment**

#### **Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources**

Primary production and the use of natural resources are enabled by protecting the availability of the rural land and other resources and its their productive capability.

#### **Objective 3b.2.2 Maintaining the established General Rural character**

The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided. Enable a range of activities in the General Rural Environment that are compatible with and cumulatively do not erode rural character.

#### **Objective 3b.2.3 Rural industry**

Rural industry is enabled whilst general commercial and industrial activities not having a locational need to be within the General Rural Environment, other than home-business, are avoided.

#### **Objective 3b.2.4 Other activities**

Māori cultural activities, tourism activities; and visitor accommodation, and renewable electricity generation and transmission (including sub transmission) activities, and other activities that have a locational need are enabled in the General Rural Environment.

**Objective 3b.2.5 Avoidance of reverse sensitivity**

Reverse sensitivity effects on permitted, ~~and~~ legally established, ~~and/or consented~~ activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.

**Objective 3b.2.6 Impacts on infrastructure**

The impacts ~~on infrastructure~~ arising from subdivision and development ~~are managed~~ do not compromise the safe and efficient function of infrastructure.

**Objective 3b.2.7 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga

Papakāinga are of a form and scale that considers the functioning of the General Rural Environment.

**Objective 3b.2.8 Tāngata Whenua**

The important relationship that tāngata whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

**Objective 3b.2.9 Renewable Electricity Generation and Transmission Activities**

Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.

**Policy 3b.2.10 Maintaining the ~~established~~ General Rural character**

Maintain the ~~established~~ General Rural Environment character, as defined by:

- a) A predominance of primary production activities
- b) Renewable electricity generation activities and electricity transmission and distribution, including geothermal areas
- c) Large ~~Generally large~~ open spaces between built structures
- d) A mix of buildings related to primary production, residential, visitor accommodation, tourism activity and rural industry buildings
- c) ~~Noises related to production activities during the day but generally low levels of noise at night~~
- d) ~~Low levels of light spill.~~
- e) Generally infrequent vehicle movements to and from a site

- f) Effects generated from rural activities including noise, vibration, odour, dust and light spill
- g) Limited signage that directly relates to the activity operating on the site.
- h) ~~Odour and dust associated with primary production activities.~~

#### **Policy 3b.2.11 Residential units**

Avoid the cumulative effects of rural lifestyle development by providing for these activities within the Rural Lifestyle Environment and otherwise limiting residential units within the General Rural Environment that:

- a) Increase the demand for community infrastructure and services
- b) Result in the inefficient use of land or loss of future flexibility for productive uses
- c) Erode the general rural character through its density, scale and location.

#### **Policy 3b.2.12 Heavy vehicle movements**

Manage heavy vehicle movements to minimise damage to the transport network and adverse impacts on road safety.

#### **Policy 3b.2.13 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised.

#### **Policy 3b.2.14 Avoiding reverse sensitivity**

~~Any adverse effects generated by an new activity, including reverse sensitivity effects, must be managed within the allotment so as to avoid adversely affecting reverse sensitivity effects on permitted, and lawfully established and/or consented neighbouring activities.~~

#### **Policy 3b.2.15 Commercial and industrial activity**

Limit the scale of commercial and industrial activity (excluding rural industry and renewable electricity generation activities) to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production and other activities provided for within the General Rural Environment.

**Policy 3b.2.16 Allotment size**

Maintain allotments at a size of 10 hectares or larger to allow flexibility for a wide range of productive land uses in the future.

**Policy 3b.2.17 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land
- ii. Recognise the social and cultural benefits of the occupation and development of Papakāinga by whanau, hapū and iwi on Māori land
- iii. Allow for Papakāinga on General land owned by Māori where it can be demonstrated that there is an ancestral connection to the land and the land will remain in Māori ownership or be converted to Māori freehold title.

**Policy 3b.2.18 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.
- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and land management activities.

**Policy 3b.2.19 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.

**Policy 3b.2.20 Primary production and ancillary activities**

To enable primary production and ancillary activities, recognising the primary productive purpose of the General Rural Environment.

**Policy 3b.2.21 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;
- ii. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.

**3b.3 Objectives and Policies - Rural Lifestyle Environment**

**Objective 3b.3.1 ~~Maintain the c~~Character of the Rural Lifestyle Environment**

The character of the Rural Lifestyle Environment is ~~maintained and~~ protected from ~~incremental~~ inappropriate subdivision and development.

**Objective 3b.3.2 Avoid reverse sensitivity**

Adverse reverse sensitivity effects, including conflict with permitted, ~~and~~ legally established and/or consented activities in neighbouring Environments, are avoided.

**Objective 3b.3.3 Commercial and industrial activities**

The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the Rural Lifestyle Environment are avoided.

**Objective 3b.3.4 Consolidate rural lifestyle activities**

Rural lifestyle activities within identified areas are consolidated to encourage more efficient use of the rural land resource and avoid the fragmentation of land in the General Rural Environment.

**Objective 3b.3.5 Allotment sizes**

That allotments are maintained at sizes to:

- a) Enable small scale primary production to occur;
- b) Protect highly productive land for use in land-based primary production; and
- c) Avoid the cumulative impacts on community infrastructure and services arising from an increase in demand or increases to level of service.

**Objective 3b.3.6 Impacts on infrastructure**

The impacts arising from subdivision and development do not compromise the safe and efficient function of infrastructure within the Rural Lifestyle Environment.

**Objective 3b.3.7 Impacts on community infrastructure**

The impacts on community infrastructure arising from subdivision and development are managed.

**Objective 3b.3.8 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga. Papakāinga are of a form and scale that considers the functioning of the Rural Lifestyle Environment.

#### **Objective 3b.3.9 Tāngata Whenua**

The important relationship that mana whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

#### **Policy 3b.3.10 Character of the Rural Lifestyle Environment**

Manage the anticipated character of the Rural Lifestyle Environment as defined by:

- a) Buildings on different sites are separated from each other in a way that creates a sense of privacy.
- b) Accessory buildings to service rural lifestyle activities that do not dominate the landscape.
- c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.
- d) A general absence of urban infrastructure including community stormwater and wastewater services.
- e) An environment which includes residential activities, rural productive activities and home business activities.
- f) Noise related to production activities during the day but low levels of noise at night.
- g) Low levels of light spill.
- h) Limited signage that directly relates to the activity operating on the site.
- i) An environment that is surrounded by a working rural environment including primary rural production, geothermal areas/steamfields and renewable electricity generation activities.

#### **Policy 3b.3.11 Lot sizes and setbacks for allotments adjoining the General Rural Environment**

Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment to manage reverse sensitivity.

#### **Policy 3b.3.12 On-site servicing**

Require properties to manage its services on-site in terms of the provision of potable water and the disposal of stormwater and wastewater.

#### **Policy 3b.3.13 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, ~~and~~ to further protect the character of the ~~r~~Rural Lifestyle Environment ~~and to avoid reverse sensitivity effects.~~

**Policy 3b.3.14 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land within the Rural Lifestyle Environment.
- ii. Recognise the social and cultural benefits of the development of papakāinga on Māori land within the Rural Lifestyle Environment.
- iii. Allow for Papakāinga on General Land owned by Māori where there is a historical ancestral connection to the land and it can be demonstrated that the land will remain in Māori ownership or be converted to Māori freehold title.

**Policy 3b.3.15 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.
- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and management activities.

**Policy 3b.3.16 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.

**Policy 3b.3.17 Centennial Drive Rural Lifestyle Environment**

Avoid subdivision and development within the Rural Lifestyle Environment at Centennial Drive to ensure avoidance of adverse reverse sensitivity effects, including conflict with permitted, legally established and/or consented activities in neighbouring Environments.

**Policy 3b.3.18 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;

- ii. [subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.](#)

## **Amendments to the Operative Taupō District Plan - Section 4 Rules and Standards**

### 4e District Wide Rules

#### 4e.2 Foreshore Protection

##### Rule 4e.2.1

Any building on or above ground within a Foreshore Protection Area is a **discretionary activity**.

- i. EXCEPTION: Electricity Generation Core Sites (as identified on the planning maps) - permitted activity where in accordance with Rule [4b.2.4](#) [4b.1.4](#) and where located no more than 100 metres from any existing structure associated with power generation.

## **4b Rural Environment**

### **4b.1 General Rules - General Rural Environment**

#### **4b.1.1 Activities in the General Rural Environment**

- i. Any activity that:
  - a) Complies with all the Performance Standards for the General Rural Environment; and
  - b) Complies with all the District Wide Performance Standards; and
  - c) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the General Rural Environment; and
  - d) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules is a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### **4b.1.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.

- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit.
- b. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- c. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- d. Effect on nearby sites, including outlook and privacy.
- e. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- f. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful
- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.
- i. [The potential to constrain access to and/or the utilisation of renewable energy sources.](#)
- j. [The ability to avoid reverse sensitivity effects through the use of screening, planting, landscaping, alternative design and/or other means including restrictive covenants.](#)

**4b.1.3 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing; and
  - c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

**4b.1.4 Electricity Generation Core Sites, Renewable Energy Electricity Generation Activities and Geothermal Areas Steamfields**

- i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas steamfields, renewable energy electricity generation activities and associated structures is a **permitted activity**.

NOTE: For the purpose of this rule "maintenance" means:

All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to monitor, test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of and includes maintenance of surrounds and water areas.

NOTE: For the purpose of this rule "minor upgrading" means:

Structural improvement, repair and replacement or upgrade of components, or activities required for the continued safe and efficient operation including worn or technically deficient parts of the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated drilling, vehicles, infrastructure, machinery, testing, monitoring, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures: up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.

#### **4b.1.5 Commercial and industrial activities, and home businesses,**

- i. A commercial, industrial activity (excluding rural industry), or home business which complies with the performance standards is a **permitted activity**.
- ii. A commercial, industrial activity (excluding rural industry), or home business which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.5ii Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses (including reverse sensitivity effects) and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

#### 4b.1.6 Papakāinga

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.2 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.2 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.1.6 ii or iii will not be notified.

**When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.2 which the proposal does not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.6 iii, in addition to a and b:
  - a. Historical associations of the land to mana whenua and reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### 4b.1.7 **High voltage transmission lines Buildings, structures and activities in the National Grid Yard**

- i. Any building (except network utilities) located within 0-12 metres of a high-voltage transmission or sub transmission line is a **restricted discretionary activity**.
- l. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.2.16 is a **permitted activity**.
- ll. Any permitted building, structure or activity which does not comply with the performance standards in 4b.2.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

**~~When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:~~**

- a. ~~The location of the structure in relation to high-voltage transmission or sub-transmission line:~~
- b. ~~Any effects on the safe and efficient functioning of the transmission or sub-transmission line:~~

**4b.1.8 Buildings within Outstanding Landscape Areas**

- i. Provided that the activity has not been identified as a discretionary or non-complying activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of structures:
  - a. Between 5m and 10m in height; or
  - b. For Masts and Poles between 5m and 20m in height; or
  - c. Which are between 250m<sup>2</sup> and 1,000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotment,is a **restricted discretionary activity**.

EXCEPTION: This rule will not apply to the erection of structures:

- a. Within Electricity Generation Core Sites.
- b. For the purpose of papakāinga.
- c. Within any Māori Reservation established under the Te Ture Whenua Māori Act 1993/ Māori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ridgelines and prominent landforms,
  - the need to locate the structure within an Outstanding Landscape Area, and
  - whether there are alternatives,
  - whether the location within an Outstanding Landscape Area is shown to be justified, and
  - how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.

- b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.
- c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS 5252 colour chart with reflectivity level less than 35%.
- d. Measures to reduce window reflectivity by use of overhanging eaves, or low-reflectivity glass.
- e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.
- f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.
- g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.
- h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.

#### **4b.1.9 Earthworks within Outstanding Landscape Areas**

Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12 month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of indigenous species or the same or similar species (other than pest species) present on the site prior to earthworks.

EXCEPTION: This rule will not apply to Earthworks within Electricity Generation Core Sites.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The extent to which the Earthworks will change the ground level.
- b. The effect of the Earthworks on the Landscape Attributes.
- c. The degree to which the finished ground levels reflect the contour of the surrounding landform.
- d. The degree to which Earthworks will enable building facades to be extended below natural ground level.
- e. The period that soil will be exposed.

- f. Proposed methods and timing for the remediation or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.
- g. Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.
- h. The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
- i. Ridgelines and prominent landforms,
  - the location requirement of the activity
  - whether there are alternatives.
- j. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks

**4b.1.10 Intensive indoor primary production, greenhouses and rural industry**

- i. An intensive indoor primary production, greenhouses or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3, and 4b.2.5 and 4b.2.6 is a **permitted activity**.
- ii. An intensive indoor primary production, greenhouses or rural industry activity which does not comply with these performance standards is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

**The Council restricts the exercise of its discretion to the following matters:**

- a. ~~The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.~~
- b. ~~The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.~~
- c. ~~The hours of operation for the activity.~~
- d. ~~The proposed signage associated with the activity.~~

**4b.1.11 Earthworks within the National Grid Corridor**

Earthworks in and around high voltage transmission National Grid corridor that:

- i. ~~are at a greater depth than 300mm within 2.2m of a pole support structure, or~~
- ii. ~~are at a depth than 750mm within 2.2m and 5m of a pole support structure, or~~
- iii. ~~are at a greater depth than 300mm within 6m of the outer visible edge of a tower support structure, or~~
- iv. ~~are at a greater depth than 3m between 6m and 12m of the outer visible edge of a tower support structure, or;~~
- v. ~~create an unstable batter; or~~
- vi. ~~within 12m of the centreline of an high voltage transmission network, result in a reduction of the existing conductor clearance distances.~~  
is a **restricted discretionary activity**;

EXCEPTIONS:

- ~~(i) and (ii) do not apply to vertical holes, not exceeding 500mm diameter, beyond 1.5m from a pole support structure~~
- ~~These rules do not apply to earthworks undertaken by utilities.~~
- ~~These rules do not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.~~

**The Council restricts the exercise of its discretion to the following matters:**

- a. ~~Any effects on the integrity of the transmission line.~~
- b. ~~Volume, area and location of the works, including temporary activities such as stockpiles.~~
- c. ~~Time of the works.~~
- d. ~~Site remediation.~~
- e. ~~The use of mobile machinery near transmission line which may put the line at risk.~~
- f. ~~Compliance with NZECP 34:2001~~

**4b.1.11 Earthworks or vertical holes in the National Grid Yard**

- i. ~~Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.2.17 are a **permitted activity**.~~
- ii. ~~Earthworks or vertical holes which do not comply with the performance standards in 4b.2.17 are a **non-complying activity**.~~

**4b.1.12 Noise Corridor Boundary Overlay**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;

is proposed which complies with the performance standards in 4b.2.18 is a **permitted activity**.

- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.2.18 is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

## **4b.2 Performance Standards - General Rural Environment**

### **4b.2.1 Vehicle movements**

- i. 200 'equivalent vehicle movements' per day for the allotment where access is to a local road.
- ii. Papakāinga - 100 'equivalent vehicle movements' per day for the allotment or 24 per dwelling, whichever is the greater.
- iii. 100 'equivalent vehicle movements' per day where access is to a State Highway.

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations where access is to a local road or existing and/or consented renewable electricity generation activities.

NOTE: Any accessway onto the State Highway should be developed as per the Waka Kotahi Planning Policy Manual Appendix 5B Standards and Guidelines or any future updates or replacements to this standard.

### **4b.2.2 Maximum building coverage**

- i. 10% of the total allotment area.

### **4b.2.3 Maximum building size**

- i. 5,000m<sup>2</sup> gross floor area for a single building.

### **4b.2.4 Maximum density of primary residential units**

- i. One primary residential unit per 10 hectares.

EXCEPTION: Papakāinga.

### **4b.2.5 Maximum building height**

- i. 12 metres.
- ii. 5 metres in a height restricted area.
- iii. 5 metres in an Outstanding Landscape Area.
- iv. 15 metres for [renewable Eelectricity Ggeneration activities](#) on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site.

EXCEPTIONS:

- [Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts - no height limit.](#)
- Cranes being used as part of any construction or maintenance works for the duration of the works - no height limit.
- Drilling Rigs for up to 60 days per well [allotment](#) - no height limit.

**4b.2.6 Minimum building setbacks**

- i. 30 metre setback for dwellings, minor residential units [and other buildings](#) from the front boundary.
- ii. 15 metres [setback for dwellings, minor residential units and other buildings](#) from all other boundaries.
- iii. 25 metres in Outstanding Landscape Areas from all boundaries.
- iv. 200 metres for buildings for the management of farmed animals from all boundaries. [NOTE: Buildings with a floor area of 150m<sup>2</sup> or less are exempt from this definition](#)
- v. There shall be no front boundary setback for buildings and activities associated with Electricity Generation and Renewable Energy Generation Activities on land identified as Geothermal Area in Section O within an Electricity Generation Core Site where the road extends over any power generation Building or Structure.
- vi. There shall be no boundary setback for buildings and activities associated with Electricity Generation on land identified as Geothermal Area in Section O within an Electricity Generation Core Site.
- vii. [All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest.](#)

EXCEPTION: For the purpose of this performance standard water tanks are not required to comply with the setback requirements in this standard.

**4b.2.7 Minor residential units**

A maximum of one minor residential unit per primary residential unit, [per allotment](#).

- i. All minor residential [units](#) or accommodation activity units shall:

- a. Be no larger than 100m<sup>2</sup> in size ([inclusive of garaging](#)).
- b. Be located no greater than ~~20~~ [40](#) metres from the primary residential unit.
- c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.2.8 Commercial and industrial activities, and home businesses**

- i. Any indoor or outdoor space used for commercial, industrial ([excluding rural industry](#)) or home business purposes, shall have a gross floor area less than 100m<sup>2</sup> for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Home business or commercial activities within a Papakāinga.

#### **4b.2.9 Maximum Noise - Limits**

- i. The noise level arising from any activity measured within the notional boundary of any General Rural Environment or Rural Lifestyle Environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:
  - a) 7.00am - 10.00pm 55dBA L<sub>eq</sub>
  - b) 10.00pm - 7.00am 40dBA L<sub>eq</sub> and 70dBA L<sub>max</sub>

NOTE: For specific noise refer to following Performance Standards.

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

#### **4b.2.10 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803: 1999 Acoustics Construction Noise.

#### **4b.2.11 Maximum Noise - Electricity Generation Core Sites**

- i. Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.2.9 above as measured:
  - a) Outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or
  - b) Within the Notional Boundary of any Dwelling within the General Rural Environment or Rural Lifestyle Environment where this is beyond the noise control boundary; or
  - c) At the boundary of the Residential Environment where this is beyond the noise control boundary.
  - d) Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc), built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA  $L_{eq}$ ).
  - e) The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA  $L_{eq}$  and 75dBA  $L_{max}$  contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.

**4b.2.12 Maximum Noise - Well Drilling and Testing**

- i. Noise from well drilling and testing:
  - a) at the boundary of any site within the Residential Environment;
  - b) within the notional boundary of any dwelling or accommodation activity within the General Rural Environment or Rural Lifestyle Environment shall not exceed the noise levels set out below, measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics - Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator's expense during the drilling period.
- ii. Time Period Monday to Sunday (inclusive):

	$L_{eq}$	$L_{max}$
7.00am - 10.00pm	70	85
10.00pm - 7.00am	60	75

**4b.2.13 Maximum Noise - Other**

- i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to ~~agricultural and forestry primary production~~ vehicles, ~~agricultural aviation aircraft and support vehicles~~, including ancillary activities such as the use of frost fans and bird scaring devices, ~~agricultural and forestry primary production~~ machinery or equipment (including mobile plant at

produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991 and S98 of the National Environmental Standards for Plantation Forestry 2017.

- ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, bursting discs, emergency or upset operating conditions and hydro spills associated with the operation of Renewable electricity generation activities within Electricity Generation Core sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.

#### **4b.2.14 Parking, Loading and Access**

- i. In accordance with Section 6: Parking Loading and Access

#### **4b.2.15 Signage**

- i. Maximum of one sign per allotment.
- ii. Maximum total face area of sign - 2m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signage.
- v. One temporary sign per allotment for the sale of land or buildings of not more than 2m<sup>2</sup> total face area.
- vi. Where a sign faces a State Highway:
  - a) A sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.

EXCEPTIONS: Official signs required by statute and warning signs related to aspects of public safety are not required to comply with the standards.

#### **4b.2.16 Buildings, structures and activities in the National Grid Yard**

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.
- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:

- a) a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
- b) an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).
- c) irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.
- d) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
  - a) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - b) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001)
  - c) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.2.17 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical hole/s must not:
  - a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;

- c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.
- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
- a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;
  - b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;
  - c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

**4b.2.18 Noise Control Boundary Overlay - Sensitive Activities**

- i. Within the Noise Corridor Boundary Overlay, where:
- a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;
- is proposed, it shall be:
- I. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
  - II. If windows must be closed to achieve the design noise levels in I. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
    - a. For habitable rooms for a residential activity, achieves the following requirements:
      - Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and

- [is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and](#)
  - [provides relief for equivalent volumes of spill air; and](#)
  - [provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18C and 25C; and](#)
  - [Does not generate more than 35 dB LAeq \(30s\) when measured 1 metre away from any grille or diffuser.](#)
- b. [For other spaces, is as determined by a suitably qualified and experienced person; and](#)
- III. [A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with I. and II. above \(as relevant\) prior to the construction or alteration of any building containing an activity sensitive to noise.](#)
- IV. [Instead of I., II. and III. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any State Highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.](#)

[Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level](#)

<b>Occupancy/activity</b>	<b>Maximum road noise level LAeq (24h) *Note 1</b>
<b>Building type: Residential</b>	
<a href="#">Sleeping spaces</a>	<a href="#">40 dB</a>
<a href="#">All other habitable rooms</a>	<a href="#">40 dB</a>
<b>Building type: Education</b>	
<a href="#">Lecture rooms/theatres, music studios, assembly halls</a>	<a href="#">35 dB</a>
<a href="#">Teaching areas, conference rooms, drama studios, sleeping areas</a>	<a href="#">40 dB</a>
<a href="#">Libraries</a>	<a href="#">45 dB</a>
<b>Building type: Health</b>	
<a href="#">Overnight medical care, wards</a>	<a href="#">40 dB</a>
<a href="#">Clinics, consulting rooms, theatres, nurses' stations</a>	<a href="#">45 dB</a>
<b>Building type: Cultural</b>	
<a href="#">Places of worship, marae</a>	<a href="#">35 dB</a>

[Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.](#)

## 4b.3 General Rules - Rural Lifestyle Environment

### 4b.3.1 Activities in the Rural Lifestyle Environment

- i. Any activity that:
  - a. complies with all of the Performance Standards for the Rural Lifestyle Environment; and
  - b. complies with all the District Wide Performance Standards; and
  - c. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the Rural Lifestyle Environment; and
  - d. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules;is a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

### 4b.3.2 Minor residential units

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.
- iii. [A minor residential unit within the Rural Lifestyle Environment as it applies to Centennial Drive](#) is a **non-complying activity**.

**When considering activities under Rule 4b.3.2 Council restricts the exercise of its discretion to the following matters:**

- a. [The proximity between the primary residential unit and the minor residential unit.](#)
- a. [b.](#) The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- b. [c.](#) Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- c. [e.](#) Effect on nearby sites, including outlook and privacy.
- d. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- e. [f.](#) The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. [Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.](#)

- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.

**In addition to the above, for the purposes of assessment under Rule 4b.3.2iii the matters over which the Council reserves control for the purpose of assessment include:**

- a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources:

#### **4b.3.3 Home business, commercial, and retail activities**

- i. A home business, commercial and retail activity which complies with performance standards is a **permitted activity**.
- ii. A home business, commercial and retail activity which does not comply with performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.3.3 Council restricts the exercise of its discretion to the following matters:**

- i. The effect of the activity on the Rural Lifestyle Environment character.
- ii. The effects of the activity's vehicle movements, parking, loading and access on the network.
- iii. Any nuisance effects such as odour, noise and glare are managed within the site.

#### **4b.3.4 Intensive indoor primary production**

- i. An intensive indoor primary production activity which complies with performance standards is a **permitted activity**.
- ii. An intensive indoor primary production activity which does not comply with performance standards is a **discretionary activity**.

#### **4b.3.5 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is re-instated to its condition prior to the activity commencing; and
  - c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

#### **4b.3.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.4 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.4 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.3.6 ii or iii will not be notified.

**When considering activities under Rule 4b.3.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.4 which the proposal did not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.3.6 iii, in addition to a and b:
  - a. Historical reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

**4b.3.7 High voltage transmission lines Buildings, structures and activities in the National Grid Yard**

- i. ~~Any building (except network utilities) located within 0 – 12 metres of a high-voltage transmission or sub transmission line is a **restricted discretionary activity**.~~
- i. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.4.16 is a **permitted activity**.
- ii. Any permitted building, structure or activity which does not comply with the performance standards in 4b.4.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

**When considering activities under Rule 4b.3.7 Council restricts the exercise of its discretion to the following matters:**

- a. ~~The location of the structure in relation to high-voltage transmission or sub-transmission line.~~
- b. ~~Any effects on the safe and efficient functioning of the transmission or sub-transmission line.~~

**The Council restricts the exercise of its discretion to the following matters:**

- a. ~~The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.~~
- b. ~~The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.~~
- c. ~~The hours of operation for the activity.~~
- d. ~~The proposed signage associated with the activity.~~

**4b.3.X Earthworks within the National Grid Corridor**

Earthworks in and around high voltage transmission National Grid corridor that:

- vii. ~~are at a greater depth than 300mm within 2.2m of a pole support structure, or~~
- viii. ~~are at a depth than 750mm within 2.2m and 5m of a pole support structure, or~~
- ix. ~~are at a greater depth than 300mm within 6m of the outer visible edge of a tower support structure, or~~
- x. ~~are at a greater depth than 3m between 6m and 12m of the outer visible edge of a tower support structure, or;~~
- xi. ~~create an unstable batter; or~~
- xii. ~~within 12m of the centreline of an high voltage transmission network, result in a reduction of the existing conductor clearance distances.~~  
is a **restricted discretionary activity**.

EXCEPTIONS:

- ~~(i) and (ii) do not apply to vertical holes, not exceeding 500mm diameter, beyond 1.5m from a pole support structure~~
- ~~These rules do not apply to earthworks undertaken by utilities.~~
- ~~These rules do not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.~~

**The Council restricts the exercise of its discretion to the following matters:**

- a. ~~Any effects on the integrity of the transmission line.~~

- ~~b. Volume, area and location of the works, including temporary activities such as stockpiles.~~
- ~~c. Time of the works.~~
- ~~d. Site remediation.~~
- ~~e. The use of mobile machinery near transmission line which may put the line at risk.~~
- f. Compliance with NZECP 34:2001

#### **4b.3.8 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.4.17 are a **permitted activity**.
- ii. Earthworks or vertical holes which do not comply with the performance standards in 4b.4.17 are a **non-complying activity**.

#### **4b.3.9 Noise Corridor Boundary Overlay**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building; is proposed which complies with the performance standards in 4b.4.18 is a **permitted activity**.
- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.4.18 is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

### **4b.4 Performance Standards - Rural Lifestyle Environment**

#### **4b.4.1 Vehicle movements**

- i. 50 equivalent vehicle movements per day for the allotment.
- ii. Papakāinga: 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations.

**4b.4.2 Maximum building coverage**

- i. 10% of the total allotment area.

**4b.4.3 Maximum building size**

- i. 500m<sup>2</sup> gross floor area for a single building.

**4b.4.4 Maximum density of primary residential units**

- i. One primary residential unit per two hectares.
- ii. One primary residential unit per four hectares for lots adjoining the General Rural Environment.
- iii. One primary residential unit per four hectares in Areas X and Y (shown on planning map D3 Geothermal Subdivision Rule).

EXCEPTION: Papakāinga.

**4b.4.5 Minor residential units**

- i. No more than one minor residential unit per primary residential unit is permitted.
- ii. All minor residential units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than ~~20~~ 40 metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

EXCEPTION: No further minor residential units are provided for within the Rural Lifestyle Environment as it applies to Centennial Drive, and any such application is a non-complying activity as per 4b.3.2.

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

**4b.4.6 Maximum building height**

- i. The maximum height of a building shall not exceed 10 metres.

**4b.4.7 Minimum building setbacks**

- i. 30 metre setback for dwellings and minor residential units and other buildings from the front boundary.
- ii. 15 metres for dwellings, and minor residential units and other buildings from all other boundaries except as restricted by clause iii.

- iii. Dwellings and minor residential units shall be setback a minimum of 50 metres from the General Rural Environment.

EXCEPTION: Water tanks are not required to comply with the setback requirements in this rule.

#### **4b.4.8 Intensive indoor primary production**

- i. Any intensive indoor primary production activity shall involve less than 100m<sup>2</sup> in gross floor area, or be within a building up to 100m<sup>2</sup> gross floor area per hectare within the allotment, up to a total of 250m<sup>2</sup> gross floor area.

#### **4b.4.9 Home business, commercial, and retail activities**

- i. Any indoor or outdoor space used for a home business, commercial or retail purposes, shall be less than 100m<sup>2</sup> in gross floor area for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Papakāinga.

#### **4b.4.10 Signage**

- i. Maximum one sign per allotment.
- ii. Maximum total face area - 1m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signs.
- v. One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings.
- vi. Where the sign faces a State Highway:
  - a) The sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.

#### **4b.4.11 Parking Loading and Access**

- i. In accordance with Section 6: Parking, Loading and Access.

#### **4b.4.12 Maximum Artificial Light Level**

- i. 8 LUX (lumens per square metre) at the boundary.

#### **4b.4.13 Maximum Noise - Limits**

- i. The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

7.00am – 7.00pm 50dBA  $L_{eq}$

7.00pm – 10.00pm 45dBA  $L_{eq}$

10.00pm – 7.00am 40dBA  $L_{eq}$  and 70dBA  $L_{max}$

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

#### **4b.4.14 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics Construction Noise.

#### **4b.4.15 Maximum Noise - Telecommunication and electricity equipment**

- i. The noise rating level Noise from telecommunication equipment and electricity substations and transformers located in the road reserve permitted by the plan shall comply with the noise limits specified in 4a.4.12 4b.4.14 above as measured and at a point 1 metre from the closest façade of the nearest dwelling.

#### **4b.4.16 Buildings, structures and activities in the National Grid Yard**

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.
- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:
  - a) a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
  - b) an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).
  - c) irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.

- d) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
  - a) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - b) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001)
  - c) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.4.17 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical hole/s must not:
  - a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;
  - c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.
- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
  - a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;

- b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;
- c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

#### **4b.4.18 Noise Control Boundary Overlay - Sensitive Activities**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;is proposed, it shall be:
  - I. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
  - II. If windows must be closed to achieve the design noise levels in I. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
    - a. For habitable rooms for a residential activity, achieves the following requirements:
      - Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
      - is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
      - provides relief for equivalent volumes of spill air; and
      - provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18C and 25C; and
      - Does not generate more than 35 dB LAeq (30s) when measured 1 metre away from any grille or diffuser.
    - b. For other spaces, is as determined by a suitably qualified and experienced person; and

- III. [A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with I. and II. above \(as relevant\) prior to the construction or alteration of any building containing an activity sensitive to noise.](#)
- IV. [Instead of I., II. and III. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any State Highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.](#)

[Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level](#)

<a href="#">Occupancy/activity</a>	<a href="#">Maximum road noise level LAeq (24h) *Note 1</a>
<b><a href="#">Building type: Residential</a></b>	
<a href="#">Sleeping spaces</a>	<a href="#">40 dB</a>
<a href="#">All other habitable rooms</a>	<a href="#">40 dB</a>
<b><a href="#">Building type: Education</a></b>	
<a href="#">Lecture rooms/theatres, music studios, assembly halls</a>	<a href="#">35 dB</a>
<a href="#">Teaching areas, conference rooms, drama studios, sleeping areas</a>	<a href="#">40 dB</a>
<a href="#">Libraries</a>	<a href="#">45 dB</a>
<b><a href="#">Building type: Health</a></b>	
<a href="#">Overnight medical care, wards</a>	<a href="#">40 dB</a>
<a href="#">Clinics, consulting rooms, theatres, nurses' stations</a>	<a href="#">45 dB</a>
<b><a href="#">Building type: Cultural</a></b>	
<a href="#">Places of worship, marae</a>	<a href="#">35 dB</a>

[Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.](#)

## **4b.5 Subdivision Rules**

### **4b.5.1 Subdivision - General Rural Environment**

- i. Subdivision resulting in lots that are 10 hectares or larger is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 10 hectares is a **non-complying activity**.

### **4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment**

- i. Subdivision resulting in lots that are 4 hectares or larger adjoining the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are larger than 2 hectares but smaller than 4 hectares smaller than 4 hectares adjoining the General Rural Environment is a **discretionary activity**.
- iii. Subdivision resulting in lots that are 2 hectares or less adjoining the General Rural Environment is a **non-complying activity**.

**4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment**

- i. Subdivision resulting in lots that are 2 hectares or larger that do not adjoin the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 2 hectares that do not adjoin the General Rural Environment is a **non-complying activity**.

**4b.5.4 Subdivision - Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils**

- i. Subdivision resulting in lots that are larger than 2 hectares but smaller than 10 hectares on land containing Land Use Capability Class 3 Soils is a **discretionary activity**.
- ii. Subdivision resulting in lots that are 2 hectares or less on land containing Land Use Capability Class 3 Soils is a **non-complying activity**.

NOTE: This rule pertains to the Land Use Capability Class 3 soils as defined under the National Policy Statement for Highly Productive Land 2022.

**For the purposes of Rules 4b.5.1.i, 4b.5.2.i, and 4b.5.3.i, 4b.5.4i and 4b.5.5i, the matters over which the Council reserves control for the purpose of assessment are:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, multi-modal connectivity if appropriate, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance

with the Council's [and/or Industry](#) Development Guidelines and Structure Plans.

- d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
- e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
- f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
- g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes, [and fault lines](#).
- h) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.
- i) [Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.](#)
- ~~j) [Subdivision within the National Grid Corridor is able to accommodate a building platform for any building which is located entirely outside of the National Grid Corridor.](#)~~

**In addition to the above, for the purposes of assessment under Rule 4b.5.2iii the matters over which the Council reserves control for the purpose of assessment are:**

- a. [Any potential reverse sensitivity effects on surrounding land-based primary productive activities.](#)
- b. [Any potential effects on the functioning of adjacent properties and the location of existing dwellings and sensitive activities.](#)

**In addition to the above, for the purposes of assessment under Rule 4b.5.4i the matters over which the Council reserves control for the purpose of assessment are:**

- a. [Any potential adverse effects on the cumulative loss of the availability and productive capacity of highly productive land.](#)
- b. [Any potential reverse sensitivity effects on surrounding land-based primary productive activities.](#)

#### **4b.5.5 Subdivision - Default Activity Status**

- i. Any subdivision which is not identified as controlled, restricted discretionary, or non-complying activity, is a **discretionary activity**.

#### **4b.5.6 Subdivision resulting in a new public road, or extension of existing public road**

- i. Any subdivision or activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The impact of the resulting development on the ability of the wastewater, stormwater and drinking water infrastructure to service the existing service area as well as the new development;
- b. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development including the need for connectivity to adjoining land and other roads and the facilitation of multimodal transport;
- c. The effect that the development will have on the stormwater catchment.

#### **4b.5.7 Subdivision - Other**

- i. Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a **controlled activity**.

Provided that the activity has not been identified as a discretionary activity by another rule in the plan, any subdivision of land in the General Rural Environment and Rural Lifestyle Environment where:

- ii. the resulting allotments are 10ha or larger in the General Rural Environment, and 4ha or larger in the Rural Lifestyle Environment; and
- iii. for any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:
  - a. the certificates of title that contain any dwelling that existed prior to any subdivision, or
  - b. in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicant

is a **controlled activity**.

- iv. Any subdivision of land in the ~~General Rural Environment or~~ Rural Lifestyle Environment that is located within Area X<sup>(78)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.
- v. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located with Area X or Area Y on Planning Map D3 where the resulting lots are less than 4 hectares is a **non-complying activity**.

NOTE: 4b.5.7 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting or other form of legal protection of that Area.

**For the purposes of Rules 4b.5.7(i), (ii) and (iii) the matters over which the Council reserves control for the purpose of assessment are:**

- a. Those matters of control identified in rules 4b.5.3 and 4b.5.6 above;
- b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;
- c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;
- d. Whether or not the lots will be adequately serviced for drinking water;
- e. The effect that the development will have on the storm water catchment.

**4b.5.8 Subdivision - Outstanding Landscape Areas**

- i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a **non-complying activity**.

**4b.5.9 Subdivision - Bonus Lots**

- i. The creation of one or more Bonus Lots 4ha or greater within the General Rural Environment, or 2ha or greater in the Rural Lifestyle Environment where the lot adjoins the General Rural Environment, is a **Restricted Discretionary activity** provided the subdivision complies with the following requirements:
  - a. Each Bonus Lot must correspond to no less than 4ha of a Nominated Significant Natural Area that is:

---

<sup>78</sup> Being the land within the resistivity boundary of the Wairakei-Tauhara Geothermal System

- i. physically protected from livestock by a Stock Proof Fence where it is within 50m of farmed livestock,
    - ii. legally protected in perpetuity or, if on Māori land, a Nga Whenua Rahui kawanata with a tenure of no less than 20 years, from any form of indigenous vegetation clearance and physical development.
    - iii. the legal protection identified in ii occurs after the date this rule becomes operative.
    - iv. not already associated with a Bonus Lot
    - v. not public land
  - b. The Bonus lot(s) will be located in the General Rural [and Rural Lifestyle Environment](#)
  - c. The Bonus Lot(s) will not be located within any of the following:
    - i. Significant Natural Area,
    - ii. Foreshore Protection Area
    - iii. Outstanding Landscape Area
    - iv. Amenity Landscape Area
    - v. in Area X on Planning Map D3
    - vi. in Area Y on Planning Map D3
  - d. A maximum of five Bonus Lots can be created on any one certificate of title;
  - e. A consent notice shall be placed on the lot(s) that the Nominated Significant Natural Area is located that include the following:
    - i. A map clearly showing the area of that lot within the Nominated Significant Natural Area which has been protected under 4b.5.9.i.a,
    - ii. The corresponding Bonus Lot(s) and the address and title number(s) of those Lots;

**For the purposes of Rule 4b.5.9.i the Council restricts the exercise of its discretion to the following matters:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites within the Bonus Lot and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.

- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.
  - d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
  - e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
  - f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
  - g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.
  - h) The potential for reverse sensitivity effects on lawfully established or permitted activities within the General Rural Environment.
  - i) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.
  - j) Any effects on the functioning of the Rural Environment including effects on rural infrastructure
  - k) The development of other bonus lots in the similar area which may lead to urbanisation or more than minor adverse effects on the functioning of the Rural Environment.
  - l) Those matters raised in Policy 3i.2.2 iv
- ii. The creation of Bonus Lots less than 10ha in size which do not meet the requirements in 4b.5.9.i is a **Non-Complying Activity**

**4b.5.10 Subdivision - More than 12 allotments**

- i. Any subdivision of land where more than twelve (12) allotments share a single common access in the General Rural Environment or Rural Lifestyle Environment is a **discretionary activity**.

**4b.5.11 Subdivision - National Grid Subdivision Corridor**

- i. Any subdivision of land in the National Grid Subdivision Corridor is a **restricted discretionary activity** provided the subdivision complies with the following standards:
  - a) All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building platform for the likely principal building(s) and any dwelling or sensitive activity located entirely outside of the National Grid Yard.
  - b) Existing vehicle access to National Grid assets is maintained.For the purposes of Rule 4b.5.11 i. the Council restricts the exercise of its discretion to the following matters:

- a) The risk of electrical hazards affecting public or individual safety, and the risk of property damage, including the extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
- b) The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading.
- c) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.
- d) The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.
- e) The ability to provide a complying building platform outside of the National Grid Yard.
- f) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.
- g) The outcome of any consultation with Transpower.
- h) The risk to the structural integrity of the National Grid.

- ii. A subdivision that does not meet the standards within 4b.5.11 i. is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

**Refer also to Subsection E – DISTRICT WIDE RULES**

## Current Rural Chapters to be deleted

### 3b

### RURAL ENVIRONMENT

#### 3b.1

##### Introduction

The Rural Environment comprises all the land outside of the Residential, Town Centre and Industrial Environments. Most land within the District falls within the Rural Environment which is predominantly characterised by open space, dispersed buildings, rural roads and non-urban infrastructure supporting farming, horticulture and forestry land use. There is also a wide range of significant development associated with tourist activity, recreation, and the generation and transmission of electricity. The Rural Environment is considered an important resource for the District as well as for the region due to its productive potential and the range of land uses and diverse activities it encompasses.

The interaction of human activities and the natural landforms and natural processes give the Rural Environment a diverse range of landscapes. This results in a range of activities with inherent 'rural' characteristics, reflecting the productive nature of the land and resources along with reserves protecting steep land and high amenity landscapes. The resulting character defines the expected rural scale of development and level of effects. Included are such features as large allotments with very low site coverage and limited areas of impervious surface, buildings that are predominantly a minor element within the environment, with a few large buildings that are generally industrial and utilitarian in character.

Other principal elements are open landscapes including ridgelines generally free of buildings; large areas of vegetation including pasture, crops, productive forest and native bush; lakes, rivers and their margins. The predominant production activities of the Rural Environment can potentially create high levels of noise, vibration, spray drift, odour and dust. Additionally, activity in the Rural Environment is generally self sufficient with respect to water supply, wastewater disposal, and stormwater management, although some areas have limited communal water supplies.

Urban development can threaten the character, amenity and functioning of the Rural Environment, resulting in adverse effects on the rural landscape and creating reverse sensitivity issues. The principal activities in the Rural Environment may generate a certain level of effects. Performance standards have been developed to ensure that these are not unduly restricted. New activities with potential adverse effects seeking to locate in the Rural Environment will be required to demonstrate that these effects can be avoided, remedied or mitigated. Other activities that may be sensitive to existing activities will also be controlled through subdivision and residential density provisions.

Within the Rural Environment, there are also sensitive features such as sites of significance to Tangata Whenua, sites of important indigenous flora and fauna and significant landscapes. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the amenity values of the landscape and sense of dispersed buildings and open space, the rural level of infrastructural services, and the busy productive nature of some parts of the District.

#### 3b.2

## Objectives and Policies

### OBJECTIVE

#### 3b.2.4

The management of the Rural Environment to maintain and enhance rural amenity and character.

### POLICIES

- i. — Maintain and enhance the amenity and character of the Rural Environment by providing land use performance standards and subdivision rules to manage the scale and density of development.
- ii. — Avoid urban development in the Rural Environment unless through a TD2050 Structure Plan Process and associated plan change.
- iii. — Maintain the open space and dispersed building character.
- iv. — Provide for a range of productive land use activities within the Rural Environment while ensuring any adverse effects are avoided, remedied or mitigated.
- v. — Protect the District's lakes and river margins from buildings that are visually obtrusive and/or result in a decline of the amenity of the margin area.
- vi. — Avoid, remedy or mitigate adverse effects of subdivision, use and development of land on areas or features of cultural, historical, landscape or ecological value.
- vii. — Recognise and provide for Infrastructure and Network Utilities in the Rural Environment, while ensuring any adverse effects on or arising from them are avoided, remedied or mitigated as far as practicable.
- viii. — Recognise that the Rural Environment encompasses a range of landscape characteristics, amenity values and land use patterns and activities when considering the appropriateness of development within the zone.

### EXPLANATION

This objective and associated policies seek to protect the existing level of amenity provided by the Rural Environment. Protecting the amenity values of the Rural Environment is important because the rural landscape provides a clear aesthetic distinction between rural land and the urban environments. Although much of the Rural Environment has been modified over the years for productive land uses and contains many other diverse activities including large buildings, the spatial nature of this area with dispersed buildings and lack of urbanisation provides valuable amenity, productive potential and recreational opportunities for the District.

The increased desire for people to live in rural areas has brought changes to the land market with a dramatic increase in the demand for rural life style living in the Rural Environment. Because the Rural Environment is characterised by larger rural sized landholdings with predominantly low density development in the form of a dwelling with some associated farm buildings, this rural residential living has changed the rural amenity of some locations. The resulting smaller allotments often contain large residential buildings in close proximity to one another especially along transport corridors. Policy ii seeks to specifically discourage urban type development establishing outside the existing and planned urban environments, other than by way of the TD2050 Structure Plan Process and the associated plan change process.

Of particular concern is the grouping of a series of small lot subdivisions and the increased density of development this creates over a significant area. This is a form of urban development because many of these subdivisions do not maintain an open space and disbursed building character and the land is only used for residential living rather than a dwelling in the rural area associated with a rural land use. Often subdivision in an area is the catalyst for other nearby land owners to subdivide. The resulting cumulative effect of several adjacent subdivisions is the change to the landscape and the eroding of the rural character and amenity of the particular locality, especially when some of the newly created lots are further subdivided over time. Policy iii seeks to ensure subdivision, use and development of land in the Rural Environment maintains the open space and disbursed building character.

Policy iv seeks to maintain productive land use activities that make up a significant portion of the overall Rural Environment and it acknowledges that there are many different forms of productive land use. While general farming and forestry activity covers most of the rural area not in conservation reserve or national park, other industrial type activities such as electricity generation facilities and quarrying provide a diverse range of established land use in the rural area. Recreation, tourism and commercial accommodation activities of varying scales and types are also activities that contribute to this diverse range of productive land uses and are able to appropriately locate in some parts of the Rural Environment. This policy recognises that the Rural Environment contains a wide range of resources that require the location of activities close to the resource. This means that there are many established activities that are not necessarily traditionally rural by nature, and rural amenity and character will vary in particular localities.

Given the District contains several large lakes and is intersected by rivers, a significant portion of rural properties are adjacent to lakes and waterways. Lakes and river margins are particularly susceptible to amenity and foreshore degradation. Policy v intends particular care be given to all buildings and structures located near the foreshore and has strong links to Part 2 and 3 matters set out in the Resource Management Act 1991.

The Rural Environment has many areas of high quality landscape and ecological value, as well as many significant sites containing cultural and historic values. Because the rural landscape has not undergone the rigours of urbanisation, many of these features remain and will be managed, and where appropriate, protected through various provisions contained throughout the District Plan.

#### OBJECTIVE

##### **3b.2.2**

Manage the subdivision of rural land to reflect rural amenity values, rural land use and appropriate levels of infrastructure.

#### POLICIES

- i. Enable the subdivision of rural land in a manner that encourages a diversity of lot sizes that reflects the rural amenity and character of the area, and the landform.
- ii. Allow subdivision of rural land only where there is adequate rural infrastructure.
- iii. Allow as a controlled activity, the creation of allotments and nominal allotments with an area of 10 hectares or more as a means of maintaining rural amenity and character, managing rural infrastructure and allowing for a diversification of rural land uses.

- ~~iv. — Prevent urbanisation of the rural environment except as provided through the TD2050 Structure Plan Process and associated plan change process to prevent a dispersed pattern of settlement and the resulting inefficiencies in the management of resources.~~
- ~~v. — Avoid the subdivision of rural land where there are hazards, in particular, land affected by geothermal hazards and where land is unstable or prone to erosion or flooding.~~
- ~~vi. — Manage the subdivision of rural land overlying Geothermal Areas to avoid conflict with the resource use and development associated with geothermal electricity generation on identified Development and Limited Development Geothermal Systems.~~
- ~~vii. — Encourage the retirement of steep land where such land is not appropriate for more intensive farming or further development including buildings, earthworks or clearance of vegetation.~~
- ~~viii. — Provide for the creation of Papakainga housing where any adverse effects on amenity and rural character are internalised within the parent allotment, and where any other adverse effects on the wider Rural Environment are avoided, remedied, or mitigated.~~
- ~~ix. — Provide for the creation of smaller lots to provide for the development of infrastructure, or access lots.~~
- ~~x. — Any relevant guidelines should be taken into account in the design of any subdivision in the Rural Environment. In particular sensitive rural design should seek to achieve the following principles:
  - ~~a. — Maintain significant open space area and increase net environmental gain — Encourage sensitive rural design in subdivision, use or development where areas of continuous open space predominate. In particular protect and enhance topographical, water, and vegetation features that contribute to the character of the Rural Environment.~~
  - ~~b. — Areas or features of cultural, historical, landscape or ecological value are protected and enhanced.~~
  - ~~c. — Appropriate Overall Density based on the level of development anticipated for the Rural Environment — Maintain the expected level of built character in the Rural Environment, as anticipated by the District Plan.~~
  - ~~d. — Site analysis — Undertake a design process and rationale that includes, but is not limited to identification of sensitive areas such as dominant ridgelines, water courses (constant and ephemeral), existing vegetation that contributes to the rural character, and any important cultural, historical, natural or landscape values.~~
  - ~~e. — Appropriate Building Design and Location — Site and design buildings appropriately in a manner that is well integrated with the surrounding landform, maintains continuous areas of open space, and reduces any potentially adverse visual effects. Levels of infrastructure are minimised through appropriate siting of buildings and structures.~~~~

- xi. — Recognise that development of land in the Rural Environment at higher densities may be appropriate where associated with recreation, commercial accommodation and tourism activities provided that adverse effects are avoided, remedied or mitigated and that granting consent will not lead to patterns of urbanisation and reverse sensitivity issues.

#### EXPLANATION

The subdivision of land potentially generates an on-going process of creating smaller and smaller parcels of land. Over time this continued process can create a fragmented land ownership pattern that ultimately reduces the range of rural activities that can be undertaken on the land, and leads to closer settlement and eventually a form of urban development. This objective and associated policy applies the amenity and character preservation objective of 3b.2.1 above as it relates to the effects of creating smaller lots in the rural area. Subdivisions that result in smaller allotments and overall reduced level of continuous open space have a greater chance of not being suitable for any rural activity and therefore the land is predominately used for some form of residential living. Sensitive rural design may further enhance the overall rural character by: specifically protecting and enhancing continuous areas of open space, particularly features that contribute to the character of the Rural Environment; by providing protection and enhancement of remnant indigenous ecosystems; and by improving overall water quality.

TD2050 resulted in a shift in the way Council addresses urban growth from a reactive to a more proactive strategic approach. This enables a clear distinction to occur between the different forms of urbanisation and rural uses. There are considerable costs to the community associated with uncontrolled urban growth. These costs include the inefficiencies of providing services and infrastructure to many small communities that can result from allowing people to live in the Rural Environment rather than within the urban environments where these services and infrastructure are already provided or can be extended efficiently. Environmental standards are placing more and more demands on rural/residential living to be provided with services and infrastructure. People moving to a rural location often wish for improved infrastructure such as water supplies and upgraded roads.

3b.2.2 is reflected in the subdivision and development density rules which provide for rural lots of 10ha or larger in area and notional dwelling sites of the same land area, to be controlled activities, and lots of between 10ha and 4ha to be discretionary activities. Lots below 4ha in area are discouraged by non-complying status. These rules are designed to prevent uncontrolled urban change in the Rural Environment. Areas of rural land will be made available for smaller lot subdivision through plan changes that reflect and are consistent with the Land Development and Growth Management Objectives of this Plan. Having identified areas in the existing Rural Environment for future urban growth through TD2050 and having determined a process for establishing urban development on this land, this objective seeks to protect the remaining Rural Environment from urban development.

The intention is to make land available for rural/residential living within the urban growth areas identified in TD2050 so that future demand for this type of land will be met under the District Plan's urban growth management objectives. As most small lot development will require some form of urban infrastructure in the future, the only efficient and environmentally sustainable way of providing for such serviced land is to ensure that it is located in close proximity to other serviced land in a TD2050 Urban Growth Area.

The Rural Environment contains a wide range of hazards that can place limitations on the extent to which the land can be further modified and developed. While the Natural Hazards and Unstable Ground (Section 3I) deals with activity in general, Policy v ensures that more specifically, subdivision of land reflects any hazard limitations. Subdivision usually leads to some form of further land development, and the size of allotments can influence future use of the land, particularly where hazards are present.

Geothermal areas that have been identified in Regional Planning documents (and shown indicatively on Section O Map A) as development systems, provide for the utilisation of the geothermal resource for electricity generation. Electricity generation facilities and associated infrastructure must be located in proximity to the resource. These facilities are industrial by nature and have associated industrial effects. The geothermal extraction activity also has characteristics such as exploratory well drilling and testing of the resource which is wide spread across the resource area. Other activities that are sensitive to the receiving of effects resulting from geothermal exploration and electricity generation should be managed in respect to these effects.

It is appropriate to provide for the subdivision of smaller lots for the purposes of soil conservation, such as for Land Improvement Agreements, on steep and unstable land.

The Papakainga housing provisions recognise the intent of Part 2 of the RMA and provide for housing exclusively for members of the same whanau, hapu or iwi on Maori land. Maori land is owned by whanau, hapu or iwi, not individuals and cannot be subdivided or sold out of the whanau, hapu or iwi ownership. A significant portion of land within the Taupō District is Maori owned, and the Transitional Plan has historically provided for this form of housing. Some of the Maori owned land is made up of large rural blocks, with other land close to existing urban settlement or Marae. Papakainga housing is exempt for the nominal lot provision, but must meet all other building location provisions for the Rural Environment.

There are a number of structures and facilities associated with the provision of infrastructure, located throughout the Rural Environment. Policy ix recognises that these facilities often require leases or land title over only a small portion of land surrounding the physical works. Given that these infrastructural facilities are either existing or have permitted activity status, or have been through a land use consent process, the resulting subdivision of the land will have little effect on the surrounding environment.

It is considered that recreation, tourism and commercial accommodation activities are generally appropriate in the Rural Environment. To ensure that any effects on the functioning and amenity of the Rural Environment are appropriately managed, any adverse effects must be avoided, remedied or mitigated and the activity must not result in urbanisation or lead to reverse sensitivity issues.

#### OBJECTIVE

##### **3b.2.3**

Provide for and manage the effects of urban growth in the Taupō District.

#### POLICIES

- i. Avoid the creation of allotments below 10 ha in Urban Growth Areas identified in 3e.6 thereby preventing land fragmentation which will adversely affect the ability of the District to provide for future urban growth needs.

**EXPLANATION**

~~{Link,5189,Section 3e.6} identifies a number of future urban growth areas around the District for the purposes of ensuring an adequate land supply for future planned urban growth. It is important that these identified urban growth areas are kept available for the valuable future resource they represent. Urban growth in the Rural Environment outside the identified urban growth areas will be treated as a non-complying activity.~~

**OBJECTIVE****3b.2.4**

~~The efficient and effective functioning of the Rural Environment by enabling the use and development of natural and physical resources, while ensuring appropriate environmental outcomes are achieved.~~

**POLICIES**

- ~~i. Control activities which may potentially restrict or compromise the operation of existing activities of the Rural Environment including the creation of new rural allotments that may lead to conflict between residential and rural activity.~~
- ~~ii. Require potentially sensitive activities to provide mitigation methods to protect them from the effects of existing activities within the Rural Environment, in order to avoid the potential effects of reverse sensitivity.~~
- ~~iii. Avoid subdivision and development of rural land that will put pressure on rural infrastructure and may require an increase in the level of service now or in the future.~~
- ~~iv. Avoid creating a pattern of fragmented titles that reduces the potential for rural land use diversity.~~
- ~~v. To recognise the important role of resource use and development in the Rural Environment, by providing for the continued operation and associated development of existing electricity generation facilities and network utilities by allowing their use, maintenance and minor upgrading where all additional significant adverse effects are avoided, remedied or mitigated.~~

**EXPLANATION**

~~Any activity, which does not breach the specified standards, is provided for within the Rural Environment. However, some sensitive activities may not be suitable for such an environment. When an activity requires or expects a different level of amenity to that which exists in the environment, it may impact on the ability of existing activities in the environment to operate and result in conflicts with those existing activities. For example, if a residential unit establishes within the Rural Environment, the actual level of effects within the environment may be higher than expected. This can adversely affect the residential unit, and potentially place undue restrictions on other adjacent activities not requiring such a level of amenity.~~

~~The inclusion of the Rural Effects Area Radius endeavours to remove conflict between residential units and 'rural' activities within the Rural Environment, and minimise potential 'reverse sensitivity' issues. While the Rural Effects Area Radius is not targeted at specific effects, it determines a distance at which conflict or 'reverse sensitivity' will be minimal, by ensuring a proposed residential building will be located within the site property and a sufficient distance away from site property boundaries, reducing the potential for conflict between the residential activity and surrounding rural activities.~~

~~The existing facilities for the generation and transmission of electricity represent a significant investment that creates social and economic benefits both locally and nationally. Provision is made for the continued operation of existing electricity generation facilities and network utilities. The objective recognises that so long as appropriate environmental outcomes are achieved, resource use and development of the Rural Environment should be provided for. At the same time, where there are existing activities that by their nature are not of the same character or intensity as the generality of development in the environment, any new activity must recognise the existing physical resource.~~

~~OBJECTIVE~~

~~3b.2.5~~

~~The protection of adjoining Environments from the adverse effects of activities within the Rural Environment.~~

~~POLICIES~~

- ~~i. — Manage the potential for adverse effects of activities in the Rural Environment at the interface of this and other more sensitive Environments.~~

~~EXPLANATION~~

~~Activities within the Rural Environment can create a level of effects which are unacceptable within the other Environments of the District (i.e. residential/industrial). These effects include noise, dust, and the visual appearance of buildings, with the levels reached being adverse in more sensitive environments such as the Residential Environment. Therefore, at the interface between Environments, effects will be controlled with the potential for conflict minimised. This can include: the design and construction of structures to be more compatible; the provision of effective screening; setbacks for buildings and planted tree vegetation; and the meeting of the lower noise requirement at a boundary with different Environments.~~

~~These provisions will ensure development and the level of environmental effects within the Rural Environment do not have excessive off-site effects, protecting the adjoining Environment as well as the amenity of the wider District.~~

~~3b.3~~

~~Methods~~

- ~~i. — Rules and performance standards for permitted activities, and rules and assessment criteria for subdivision, which protect the character, amenity and functioning of the Rural Environment.~~
- ~~ii. — Environmental assessment of activities which do not comply with performance standards through the resource consent process.~~
- ~~iii. — Conditions on resource consents such as consent notices and covenants on titles.~~
- ~~iv. — Education and information on the existing environmental levels, values, amenity and functioning associated with the Rural Environment.~~
- ~~v. — Allocation of funds through the LTCCP process.~~
- ~~vi. — Rules and policies within any relevant Regional Plan or Policy Statement.~~
- ~~vii. — Other legislation and Council Bylaws.~~
- ~~viii. — The publication of Design Guidelines to promote appropriate built development in the Rural Environment.~~
- ~~ix. — The implementation of any Joint Management Agreement between Council and Iwi.~~

### 3b.4

#### Principal Reasons For Adoption

A typical scale and character of development and level of environmental effects has been established over time within the Rural Environment. This has resulted in a level of character and amenity identified within the Rural Environment, which is defined by the operation of rural activities.

Threats to the functioning, character and amenity of the Rural Environment have been identified in the District-wide issues, policies, rules and performance standards of this section and are further discussed within the explanations for the Environment.

This section of the Plan recognises the variety of landscapes and great mix of activities which are undertaken within the Rural Environment, while also retaining the Environment's valued character, amenity and functioning.

Accordingly, the approach within this section is to place emphasis on assessing the potential environmental impacts through a series of standards which must be met in order for any activity to be permitted, so the operational character of the Rural Environment can be protected. Failure to meet one or more of these standards requires that an activity obtain a resource consent, at which time a full and comprehensive assessment of environmental effects will be undertaken. In addition, future urban growth areas have been identified in the Rural Environment along with a process for developing these areas. The development of these areas is supported by more restrictive subdivision rules and assessment criteria in the Rural Environment to discourage smaller lot sizes.

This approach will protect the functioning, character and amenity of the Rural Environment, and ensure the protection of the environmental qualities which make it an Environment suitable for a variety of activities that generate a range and level of environmental effects.

### 3b.5

#### Anticipated Environmental Outcomes

- i. A range of activities compatible in scale, amenity and character with development within the Rural Environment.
  - ii. New activities and development does not create adverse impacts in terms of overshadowing, excessive building scale, and vehicle movements.
  - iii. Protection of the amenity of adjoining Environments from the adverse effects of activities within the Rural Environment such as noise.
  - iv. Protection of the wider environment and community from nuisances such as excessive dust, noise, glare, odour and stormwater.
  - v. The establishment, maintenance and enhancement of Papakainga housing in the District that enables tangata whenua to provide for their cultural, social and economic wellbeing.
  - vi. No urban development in the Rural Environment except as provided through the TD2050 Structure Plan Process and associated plan change.
-

4b

**RURAL ENVIRONMENT**

Section Index:

4b.1 Performance Standards

4b.2 General Rules

4b.3 Subdivision Rules

4b.4 Assessment Criteria

**4b.1**

**Performance Standards**

*Please note: The following are the Performance Standards for all areas within the Rural Environment with the exception of Specific Requirement Areas. The Performance Standards for Specific Requirement Areas are held outside the Plan.*

**PERFORMANCE STANDARDS — For Each Rural Area**

	i. Rural	ii. Outstanding Lands eape Areas	iii. Cluster Area*	iv. Electricity Generation- Core Site
<b>4b.1.1</b> <b>Maximum Building Height</b>	10m or 5m within a height restricted area	5m Refer rule 4b.2.7	8m	and activities associated with Electricity Generation on land identified as Geothermal Area in Section O 15m

**EXCEPTIONS:**

- a. — Cranes being used as part of any construction or maintenance works for the duration of the works—no height limit
- b. — Drilling Rigs for up to 60 days per well site—no height limit

<b>4b.1.2</b> <b>Maximum Building Coverage</b>	2.5% aggregate total of all buildings	2.5% aggregate total of all buildings	250m <sup>2</sup> aggregate total of all buildings in	2.5% aggregate total of all buildings
--	---	---	---	---

		<del>i. Rural</del>	<del>ii. Outstanding Lands escape Areas</del>	<del>iii. Cluster Area*</del>	<del>iv. Electricity Generation Core Site</del>
		<del>or 1000m<sup>2</sup> ground floor area of a single building whichever is the more restrictive</del>	<del>or 250m<sup>2</sup> ground floor area of a single building whichever is the more restrictive. Refer rule 4b.2.7</del>	<del>an allotment within a cluster area</del>	<del>or 1000m<sup>2</sup> ground floor area of a single building whichever is the more restrictive</del>
<del>4b.1.3</del>	<del>Minimum Building Setback—Front Boundary</del>	<del>a. 25m b. 5m adjacent to Foreshore Protection Area bound ary</del>	<del>25m</del>	<del>Refer rules 4b.3.9 and 4b. 3.10</del>	<del>0m where the road extends over any power generation Building or Stru cture</del>
<del>4b.1.4</del>	<del>Minimum Building Setback—All other Boundaries</del>	<del>a. 15m b. 25m from Residential Environment Boundary c. 5m from the Foreshore</del>	<del>25m</del>	<del>Refer rules 4b.3.9 and 4b. 3.10</del>	<del>0m</del>

- i. ~~Rural~~
  - ii. ~~Outstanding Lands~~  
~~cape Areas~~
  - iii. ~~Cluster Area\*~~
  - iv. ~~Electricity Generation~~  
~~Core Site~~
- ~~Protection~~  
~~Area Boun~~  
~~dary~~

\* As defined by rules 4b.3.9 and 4b.3.10

**PERFORMANCE STANDARDS – General For All Rural Areas**

- 4b.1.5 Rural “Effects Area” Radius** –does not apply in respect to boundaries of allotments in the Residential Environment.
- Any proposed building to be used as a residential unit or for an Accommodation Activity shall have an “effects area” within the allotment of:
- i. —100m from any Industrial Environment boundary.
  - ii. — 50m all other allotment boundaries.
  - iii. — EXCEPTION: One Dwelling per allotment, for allotments created where subdivision consent was granted prior to the notification of the Proposed District Plan (18<sup>th</sup> July 2000).
  - iv. — EXCEPTION: Any Dwelling within a cluster area created under Rules 4b.3.9, and 4b.3.10.
- 4b.1.6 Planted Tree Vegetation Shading of Road Carriage Way**
- Planted Tree Vegetation shall not be planted or allowed to grow in a position which will shade any road carriageway, between the hours of 10am and 2pm on the shortest day of the year.
- Rule 4b.1.6 shall be deemed to be complied with where:
- i. — Topography is already preventing the direct access of sunlight onto the road;

- ~~ii. — The road is a private road, an unsealed road (which is not programmed to be sealed within the lifetime of this Plan) or the vegetation existed at the time of notification of the Proposed Plan;~~
- ~~iii. — The written consent of the relevant road controlling authority is obtained, and submitted to the Taupō District Council, prior to the commencement of planting, which clearly shows the location of the vegetation, and confirms that the road controlling authority is satisfied that the vegetation does not pose a safety risk having had regard to:
 
  - ~~a. — The physical characteristics of the road;~~
  - ~~b. — The degree of potential shading of the road;~~
  - ~~c. — The nature and extent of the vegetation;~~
  - ~~d. — The surrounding topography;~~
  - ~~e. — Potential weather effects on the road.~~~~

**4b.1.7** **Planted Tree Vegetation**  
Planting Setback

- ~~i. — 10m setback from adjoining allotments under different ownership (except where the adjacent landuse is directly compatible with the planted tree vegetation i.e. plantation forestry in pinus radiata versus plantation forestry in pinus radiata, or it is revegetation carried out as a requirement under sections 3q and 4f Mapara Valley Structure Plan Area, of this plan);~~
- ~~ii. — 25m setback from an existing house on an adjoining allotment~~
- ~~iii. — 10m setback from any Residential Environment boundary~~

**4b.1.8** **Maximum Noise Measurement**

~~The noise levels shall be measured in accordance with the requirements of NZS 6801:1999 Acoustics— Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:1999 Assessment of Environmental Sound.~~

<b>4b.1.9</b>	<b>Maximum Noise Limits</b>	<p>The noise level arising from any activity measured within the notional boundary of any rural environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:</p> <ul style="list-style-type: none"> <li>i. — 7.00am — 10.00pm 55dBA <math>L_{eq}</math></li> <li>ii. — 10.00pm — 7.00am 40dBA <math>L_{eq}</math> and 70dBA <math>L_{max}</math></li> </ul> <p>EXCEPTIONS: for specific noise refer to following Performance Standards:</p>
<b>4b.1.10</b>	<b>Maximum Noise Construction Noise</b>	All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics Construction Noise.
<b>4b.1.11</b>	<b>Maximum Noise Airport Noise</b>	Refer to section 4h.
<b>4b.1.12</b>	<b>Maximum Noise Electricity Generation Core Sites</b>	<p>Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.1.9 above as measured:</p> <ul style="list-style-type: none"> <li>i. — outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or</li> <li>ii. — within the Notional Boundary of any Dwelling within the Rural Environment where this is beyond the noise control boundary; or</li> <li>iii. — within the boundary of any site within the Residential Environment where this is beyond the noise control boundary.</li> <li>iv. — Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc) built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA <math>L_{eq}</math>).</li> <li>v. — The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA <math>L_{eq}</math> and 75dBA <math>L_{max}</math> contour where this is</li> </ul>

~~beyond the Core Electricity Generation Site boundary, as shown on the planning maps.~~

**4b.1.13** ~~Maximum Noise Well Drilling and Testing within Electricity Generation Core Sites~~

~~Noise from well drilling and testing within any Electricity Generation Core Site boundary as measured:~~

- ~~i. within the boundary of any site within the Residential Environment;~~
- ~~ii. within the notional boundary of any dwelling or accommodation activity within the Rural Environment~~

~~shall not exceed the noise levels set out in the following table measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics— Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator’s expense during the drilling period.~~

~~Time Period Monday to Sunday~~

~~$L_{eq} L_{max}$~~

- ~~a. 7.00am — 10.00pm 70 85~~
- ~~b. 10.00pm — 7.00am 60 75~~

**4b.1.14** ~~Maximum Noise Other Noise~~

- ~~i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry vehicles, agricultural and forestry machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer’s specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.~~

		<ul style="list-style-type: none"> <li>ii. <del>Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers and hydro spills associated with the operation of Electricity Generation Core sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.</del></li> </ul>
<b>4b.1.15</b>	<b>Parking, Loading and Access</b>	In accordance with Section 6: Parking Loading and Access
<b>4b.1.16</b>	<b>Maximum Signage Official Signs</b>	Official signs required by statutes and warning signs related to aspects of public safety are not required to comply with the standards.
<b>4b.1.17</b>	<b>Maximum Signage Total Face Area</b>	2m <sup>2</sup> total face area in one sign per allotment
<b>4b.1.18</b>	<b>Maximum Signage Style</b>	<ul style="list-style-type: none"> <li>i. <del>Signage must relate to the activity undertaken on the allotment.</del></li> <li>ii. <del>No flashing, reflectorised or illuminated signage</del></li> <li>iii. <del>One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings</del></li> </ul>
<b>4b.1.19</b>	<b>Maximum Earthworks</b>	<ul style="list-style-type: none"> <li>i. <del>No dust or silt nuisance beyond the boundaries of the allotment (except internal allotment boundaries).</del></li> <li>ii. <del>Outstanding Landscape Areas — refer to rule 4b.2.8.</del></li> </ul> <p><del>Please note: Where activities such as earthworks and on-site sewage treatment involve discharges to land, air and water, a resource consent may be required from the relevant Regional Council.</del></p>
<b>4b.1.20</b>	<b>Maximum Odour</b>	<ul style="list-style-type: none"> <li>i. <del>There shall be no discharge of offensive or objectionable odour at or beyond the boundary of a site.</del></li> </ul>

- ii. ~~In determining whether an odour is offensive or objectionable, the Council shall have regard to the assessment guide contained in section 7.7.~~

~~Please note: The Regional Council may also require that resource consent be obtained for discharges to air (including odour discharges).~~

**4b.1.21 Stormwater**

~~All stormwater to be disposed of so as to avoid inundation or erosion of any other land (excluding water bodies).~~

**4b.1.22 Nominal Allotments**

~~The second and subsequent Dwelling / Accommodation Unit on an allotment shall be sited within its own 10 hectare “Nominal Allotment”. Dwellings / Accommodation Units within the Nominal Allotment shall comply with the Minimum Building Setback and Rural Effects area Radius Performance Standards of the Plan as if the nominal boundaries are legal boundaries.  
EXEMPTION: Papakainga Housing~~

**4b.2  
General Rules**

**4b.2.1**

~~Any activity that:~~

- ~~i. complies with all of the Performance Standards for the Rural Environment; and~~
- ~~ii. complies with all the District Wide Performance Standards; and~~
- ~~iii. is not identified as a restricted discretionary or discretionary activity within the Rural Environment; and~~
- ~~iv. is not identified as a controlled, restricted discretionary or discretionary activity within the District Wide Rules;~~

~~is a permitted activity:~~

**4b.2.2**

~~Any temporary activity, being an activity of up to a total of three operational days in any one calendar year, which exceeds any performance standard(s), is a **permitted activity**, provided that:~~

- ~~i. There are no new permanent structures constructed; and~~

- ~~ii. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing; and~~
- ~~iii. An allowance of five non-operational days associated with the activity is not exceeded, during which time any breach of any performance standard(s) shall only be to the extent reasonably necessary to undertake any relevant aspect of the activity.~~

**4b.2.3**

~~Any activity undertaken as part of the Taupō Airport or associated activities, refer to section 4h.~~

**4b.2.4**

~~Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal steamfields and associated structures is a **permitted activity**.~~

~~For the purpose of this rule “*maintenance*” means:~~

All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydro electric power station, geothermal steamfield and associated structures, in order to arrest the processes of decay, structural fatigue, erosion or dilapidation and includes maintenance of surrounds and water areas.

For the purpose of this rule "*minor upgrading*" means

Structure improvement, repair and replacement of worn or technically deficient parts of the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated drilling, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.

#### **4b.2.5**

Any activity that does not meet the Rural "Effects Area" Radius Performance Standard is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The adverse effects of the reduced radius on:
  - i. the functioning of existing or consented activities on adjoining allotments;
  - ii. any areas or features of cultural, historical, landscape or ecological value;
  - iii. the extent to which the reduction in radius is necessary due to the shape or nature of the physical features of the allotment.
- b. The extent to which the existing topography or vegetation will mitigate effects of the reduced radius such as through increased separation.
- c. The ability for the proposed activity to mitigate adverse effects of the reduced setback; including the use of screening, planting, and alternative building location and design.

#### **4b.2.6**

Any activity involving a Building within 20m from the centre line of a high voltage transmission line (as shown on the planning maps) that is not associated with electricity generation is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The degree to which the design or building development and location of building platforms enables the existing line to be efficiently used, operated and accessed;
- b. Building orientation and the location and the visual impacts of the transmission lines;
- c. Measures necessary to ensure the security of the transmission line;

- ~~d. The degree of compliance with New Zealand Electrical Code of Practice for Electrical Safety Distances: NZECP:34;~~
- ~~e. The outcome of any consultation with the owners of the transmission lines;~~
- ~~f. The degree to which adverse effects associated with the concept of reverse sensitivity are avoided, remedied or mitigated.~~

#### ~~4b.2.7~~

~~Provided that the activity has not been identified as a discretionary activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of Structures~~

- ~~i. between 5m and 10m in height; or~~
- ~~ii. for Masts and Poles between 5m and 20m in height; or~~
- ~~iii. which are between 250m<sup>2</sup> and 1000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotment;~~

~~is a restricted discretionary activity.~~

~~The Council restricts the exercise of its discretion to the following matters:~~

- ~~a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering:
  - ~~i. ridgelines and prominent landforms,~~
  - ~~ii. the need to locate the structure within an Outstanding Landscape Area, and~~
  - ~~iii. whether there are alternatives,~~
  - ~~iv. whether the location within an Outstanding Landscape Area is shown to be justified, and~~
  - ~~v. how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.~~~~
- ~~b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.~~
- ~~c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS-5252 colour chart with reflectivity level less than 35%.~~
- ~~d. Measures to reduce window reflectivity by use of overhanging eaves, or low reflectivity glass.~~
- ~~e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.~~
- ~~f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.~~
- ~~g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.~~

- h. ~~Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.~~

**EXCEPTION:**

Rule 4b.2.7 will not apply to the erection of Structures:

- i. ~~Within Electricity Generation Core Sites.~~
- ii. ~~For the purpose of Papakainga.~~
- iii. ~~Within any Maori Reservation established under the Te Ture Whenua Maori Act 1993/Maori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.~~

**4b.2.8**

Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12 month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of the same or similar species (other than pest species) present on the site prior to earthworks).

**The Council restricts the exercise of its discretion to the following matters:**

- a. ~~The extent to which the Earthworks will change the ground level and the effect on the Landscape Attributes.~~
- b. ~~The degree to which the finished ground levels reflect the contour of the surrounding landform.~~
- e. ~~The degree to which Earthworks will enable building facades to be extended below natural ground level.~~
- d. ~~The period that soil will be exposed.~~
- e. ~~Proposed methods and timing for the remedying or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.~~
- f. ~~Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.~~
- g. ~~The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
 
  - i. ~~ridgelines and prominent landforms,~~
  - ii. ~~the location requirement of the activity~~
  - iii. ~~whether there are alternatives.~~~~
- h. ~~Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.~~

**EXCEPTION:**

Rule 4b.2.8 will not apply to Earthworks within Electricity Generation Core Sites.

**4b.2.9**

~~Any activity that is not a permitted, controlled, or restricted discretionary activity is a discretionary activity.~~

#### ~~4b.3~~

#### ~~Subdivision Rules~~

##### ~~4b.3.1~~

~~Provided that the activity has not been identified as a discretionary activity by another rule in the plan, any subdivision of land in the Rural Environment where:~~

- ~~i. the resulting allotments are 10ha or larger; and~~
- ~~ii. for any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:
  - ~~a. the certificates of title that contain any dwelling that existed prior to any subdivision, or~~
  - ~~b. in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicant~~~~

~~is a controlled activity.~~

##### ~~4b.3.2~~

~~Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a controlled activity.~~

~~NOTE: 4b.3.2 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting etc., that Area.~~

~~For the purposes of Rules 4b.3.1 and 4b.3.2 the matters over which the Council reserves control for the purpose of assessment are:~~

- ~~a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.~~
- ~~b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- ~~c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.~~
- ~~d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.~~
- ~~e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.~~

- ~~f. The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.~~
- ~~g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.~~
- ~~h. To ensure that the covenant relating to subdivisions in Area Y shown on Planning Map D3 is appropriately worded to prohibit complaints in relation to the matters described in Rule 4b.3.1.ii~~
- ~~i. Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.~~

**4b.3.3**

~~Any subdivision of rural land that is located within an Outstanding Landscape Area or in Area X<sup>(1)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.~~

**4b.3.4**

~~Any activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.~~

~~The matters over which the Council reserves discretion for the purposes of assessment are:~~

- ~~a. Those matters of control identified in rules 4b.3.1 and 4b.3.2 above;~~
- ~~b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;~~
- ~~c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;~~
- ~~d. Whether or not the lots will be adequately serviced for drinking water;~~
- ~~e. The effect that the development will have on the storm water catchment.~~

**4b.3.5**

~~Any subdivision which is not identified as controlled, restricted discretionary, or non-complying activity, is a **discretionary activity**.~~

**4b.3.6**

~~Unless specifically provided for by another rule in this plan any subdivision of land in the Rural Environment where the resulting allotments are smaller than 4 hectares is a **non-complying activity**.~~

**4b.3.7**

~~Any subdivision of land in the Rural Environment which results in the creation of Bonus Lots below 4ha is a **discretionary activity** provided the subdivision complies with the following requirements:~~

- ~~i. Each Bonus lot must correspond to no less than 10ha of a nominated Significant Natural Area that is physically (fenced with a stock proof fence where appropriate and kept free of livestock) and legally protected in perpetuity.~~

- ii. ~~The Bonus lot(s) will be located in the Rural Environment;~~
- iii. ~~The Bonus lot(s) will not be located within a Significant Natural Area, the Mapara Valley Structure Plan Area, Foreshore Protection Area, an identified Outstanding or Amenity Landscape Area or Geothermal Area;~~
- iv. ~~A maximum of 10 Bonus Lots can be created from any one certificate of title;~~
- v. ~~A consent notice shall be placed on the lot(s) which includes that part of the nominated Significant Natural Area that has been protected as per 4b.3.7.i above, identifying the area of that lot (within the SNA) which has been protected and the number of associated bonus lots created;~~
- vi. ~~The minimum allotment size of any Bonus Lot created will be 1500m<sup>2</sup>.~~

*NOTE: Further guidance for this rule is provided through (but not limited to) Policy 3i.2.2 iii and associated explanatory text.*

#### **4b.3.8**

Any subdivision of land in Area Y shown on Planning Map D3 which complies with Rule 4b.3.1.i but does not comply with Rule 4b.3.1.ii is a **restricted discretionary activity**.

The matters over which Council reserves discretion for the purposes of assessment area:

- a. ~~The extent to which the proposed subdivision may affect already consented or permitted geothermal power generation related activities on and near the site of the subdivision; and~~
- b. ~~The extent to which such actual or potential reverse sensitivity effects will be avoided, remedied, or mitigated.~~
- e. ~~For the purposes of Rule 4b.3.8 notification under Section 95B and 95E of the Act may be avoided should the applicant obtain the written approval of the applicable geothermal power generators with production rights over the area.~~

#### **4b.3.9**

Any subdivision of land in the Rural Environment which complies with all the following requirements is a **restricted discretionary activity**:

- i. ~~The parent allotment is no less than 20ha in area and the subdivision results in an average density of no more than 1 allotment (excluding access lots) per 10ha;~~
- ii. ~~Within the parent allotment, no more than one cluster area will be created per 100ha; At the time of subdivision consent application the following will be identified within the parent allotment:~~
- iii. ~~Each cluster area shall contain a group of no more than 10 allotments (excluding access lots) with each allotment to contain no more than 1 dwelling house or accommodation unit;~~
- iv. ~~Each cluster area will make up no more than 3% of the parent allotment or be no larger than 3ha whichever is the smaller;~~
- v. ~~Each cluster area will be no less than 100 metres from the external boundary of the parent allotment;~~

- ~~vi. Each cluster area will be no less than 1000m from the Wairakei-Tauhara Geothermal Area;~~
- ~~vii. Each cluster area will be no less than 1000m from the Residential Environment and any other cluster area created under this rule;~~
- ~~viii. All allotments created pursuant to this rule shall have a consent notice registered preventing any further subdivision, or the creation of no more than one Dwelling House or Accommodation Unit on that allotment;~~
- ~~ix. All land within 20m of a water body or a river<sup>(2)</sup> will be planted in indigenous vegetation;~~
- ~~x. No cluster area will be located within a Significant Natural Area, the Mapara Valley Structure Plan Area, Foreshore Protection Area, any identified Landscape Area or the Wairakei-Tauhara Geothermal Area;~~
- ~~xi. No cluster area will be located within any identified Geothermal Area not covered by x above.~~

The matters over which the Council reserves discretion for the purposes of assessment are:

- ~~a. The size and shape of the cluster area and the distribution of the allotments, so that the allotments are concentrated in a non-linear fashion.~~
- ~~b. The impact of the resulting development on the ability of the roading networks, including the State Highway network, to safely and sustainably operate and service the new development;~~
- ~~c. The location of the cluster areas in respect to ridgelines, and to ensure the maintenance of open space character of the wider Rural Environment, and the protection of water courses and existing vegetation.~~
- ~~d. The level and characteristics of the required revegetation of the parent allotment, including consideration of guidance contained in Appendix Three, section 2.11 relating to Revegetation Corridors.~~
- ~~e. The location of the cluster area in respect to identified natural hazards or contaminated sites.~~
- ~~f. The location and quantity of earthworks, including its movement to, from, and on the site.~~
- ~~g. Any clearance of vegetation, including its location and species.~~
- ~~h. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.~~
- ~~i. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).~~
- ~~j. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new existing roads.~~

#### **4b.3.10**

Subdivision of land under rule 4b.3.9 which does not comply with one or more of iv, v, vii, ix, x as to "any Identified Landscape Area", or xi of that rule will be a **Discretionary Activity** except where the subdivision does not comply with both iv and xi.

## ASSESSMENT CRITERIA

~~Please Note: These criteria together with the relevant Objectives and Policies should be considered in the assessment of rule 4b.3.10.~~

- ~~a. The reasons that the cluster area is larger than that specified in the rules, and its design to reduce the impact of a larger than anticipated cluster on the amenity of the wider Rural Environment;~~
- ~~b. The effects of a cluster area located within the setback to an external boundary, in relation to actual and potential reverse sensitivity effects that may arise from surrounding landuses;~~
- ~~c. Whether the cluster area can be seen from a public road and any steps taken to mitigate the visual effects of the cluster area;~~
- ~~d. The reasons that the cluster area is not located at least 1000m from the Residential Environment, and/or other cluster areas and/or the Wairakei-Tauhara Geothermal Area, and the effect that its proximity may have on:
  - ~~i. the effective functioning of the Residential Environment and Geothermal Area; and/or~~
  - ~~ii. the cumulative and precedent effects of cluster areas in relation to issues of urbanisation of the Rural environment and wider rural amenity;~~~~
- ~~e. Any alternative design and cluster area locations that could be considered so that the development could be more consistent with the requirements of rule 4b.3.9.~~
- ~~f. The reasons why land within 20 metres of a waterbody or river is not planted in indigenous vegetation and any alternative methods used to achieve a Net Environmental Gain from the subdivision and resulting development.~~
- ~~g. The consideration of the location of cluster areas, in respect to ridgelines and for the maintenance of open space character, water courses and existing vegetation.~~
- ~~h. The level and characteristics of revegetation of the balance lot which is planned, including consideration of guidance contained in Appendix Three, Section 2.11 relating to Revegetation Corridors.~~
- ~~i. The proximity of the lots to any existing urban area or identified Urban Growth Areas and the effects that the lots may have on those areas.~~
- ~~j. Any immediate adverse or potentially adverse cumulative effects of the subdivision or subsequent land use on the quality of Taupō District's lakes, waterways and aquifers, and the methods by which such effects can be avoided, remedied or mitigated.~~
- ~~k. Any immediate adverse or potentially adverse cumulative effects on the amenity values and the existing level of infrastructure or the Rural Environment, and the methods by which such effects can be avoided, remedied, or mitigated.~~
- ~~l. The level to which the amenity and landscape of the Rural Environment has already been compromised by subdivision and development, and the~~

- ~~extent to which the immediate environment can absorb further change without creating cumulative adverse effects.~~
- ~~m. Whether the design and layout of the subdivision avoids, remedies or mitigates any adverse effects resulting from identified natural hazards or land contamination, including an assessment of any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- ~~n. The location and quantity of earthworks, including its movement to, from, and on the site.~~
- ~~o. Any clearance of vegetation, including its location and species.~~
- ~~p. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.~~
- ~~q. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).~~
- ~~r. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new and existing roads.~~
- ~~s. Any effects on the wider roading network, including the State Highway~~

**4b.3.11**

Subdivision of land under rule 4b.3.9 which does not comply with:

- ~~i. one or more of i, ii, iii, vi, viii, or x (except for any identified Landscape Area);~~
- ~~ii. both iv and xi~~

is a **non-complying activity**.

**4b.3.12**

Any subdivision of land where more than twelve (12) allotments share a single common access in the Rural Environment is a **discretionary activity**.

**4b.4**

**Assessment Criteria**

*Please note: These criteria are not exclusive with other criteria able to be considered in the assessment of a discretionary activity.*

4b.4.1

**GENERAL CRITERIA**

- ~~a. Impact of the development or subdivision on the functioning of the Rural Environment, surrounding allotments and other Environments.~~
- ~~b. Potential for conflict between the development or subdivision and other existing activities within the Rural Environment.~~
- ~~c. Any cumulative effects of the development or subdivision, (including precedent effects).~~
- ~~d. The design, density and layout of the development or subdivision (including any response to natural hazards).~~

- ~~e. Any immediate or potential cumulative effects of the land use on the quality of the District's lakes, waterways and aquifers, and the methods by which these adverse effects can be avoided, remedied or mitigated.~~
- ~~f. Any actual or potential effects, including cumulative effects, of the development or subdivision on the amenity and landscape character of the Rural Environment in the vicinity of the subject site, and the methods by which such effects can be avoided, remedied or mitigated. Attributes that may contribute to a higher level of amenity and rural character include, (but are not limited to):~~
  - ~~i. A sense of place;~~
  - ~~ii. Aesthetic coherence;~~
  - ~~iii. Feelings of remoteness;~~
  - ~~iv. Open space, including existing recreational opportunities;~~
  - ~~v. A relatively high standard of privacy;~~
  - ~~vi. A lower incidence of household noise;~~
  - ~~vii. A lower incidence of traffic on local roads and access ways;~~
  - ~~viii. A lower incidence of litter and pollution;~~
  - ~~ix. Open vistas of vegetation and prominent topographical features;~~
  - ~~x. A lower incidence of buildings and structural clutter.~~
- ~~g. Any actual and potential effects of the development or subdivision on areas or features of cultural, historical, landscape or ecological value as identified in the plan.~~
- ~~h. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, new and existing roads.~~
- ~~i. The location general assessment criteria and scope of earthworks, including its movement to, from and on the site.~~
- ~~j. The clearance or planting of vegetation, including its location, species and maintenance.~~
- ~~k. The imposition of conditions in accordance with Section 108 of the Resource Management Act 1991.~~
- ~~l. Consideration of any relevant Management Plan or Strategy as guidance during the resource consent process.~~
- ~~m. Any effects or potential effects on land stability.~~
- ~~n. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and lakes.~~
- ~~o. Impact on any proposed activity applied for at 202 Spa Road, Taupō (PT SEC 318 SO 44899 BLK II, Tauhara SD, SEC 1 SO 58334 and SEC 2 SO 58334), pursuant to any resource consent application, on the amenity values of the adjacent Residential Environment.~~

#### 4b.4.2

#### BUILDING HEIGHT

- ~~a. The extent to which the extra height will:~~
  - ~~i. adversely affect the character and visual amenity of the area and the surrounding Rural Environment, particularly in terms of the dominance of open space over built form;~~
  - ~~ii. reduce the privacy or outlook of adjoining allotments;~~

~~iii.—adversely affect Outstanding Landscape Management Areas and Landscape Amenity Management Areas.~~

- ~~b. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:~~
- ~~i.— the extent to which topography, alternative design, planting or setbacks can mitigate the adverse effects of the extra height.~~

4b.4.3

**COVERAGE**

- ~~a. The extent to which the increased coverage will:~~
- ~~i.— adversely affect the character and visual amenity of the area with regard to the visual dominance of open space versus built form;~~
  - ~~ii.— reduce the privacy and outlook of adjoining allotments; and~~
  - ~~iii.— adversely affect Outstanding Landscape Management Areas and Landscape Amenity Management Areas.~~
- ~~b. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:~~
- ~~i.— the ability to mitigate adverse effects such as through the imposition of conditions such as landscaping; and~~
  - ~~ii.— provision for the protection or enhancement of significant vegetation.~~

4b.4.4

**BUILDING SETBACK**

- ~~a. The extent to which the reduced setback will:~~
- ~~i.— adversely affect the visual amenity of the Rural Environment;~~
  - ~~ii.— adversely affect the streetscape of the area;~~
  - ~~iii.— reduce the privacy and outlook of adjoining allotments;~~
  - ~~iv.— limit the safe and visible access of vehicles using the allotment.~~
- ~~b. The extent to which the reduction in the setback is necessary due to the shape or nature and physical feature of the allotment.~~
- ~~c. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:~~
- ~~i.— the ability of existing topography or vegetation to mitigate any adverse visual effects on the streetscape;~~
  - ~~ii.— the ability to mitigate adverse effects of the reduced setback through screening, planting and alternative design;~~
  - ~~iii.— provision for the protection or enhancement of significant vegetation;~~
  - ~~iv.— planted tree vegetation (including plantation forestry).~~
- ~~d. Whether there are adverse effects on the surrounding environment, surrounding allotments, or the adjoining road including shading, weed growth, or effects at the time of harvest.~~

- ~~e. Factors in the surrounding environment and whether any change in topography gives increased separation.~~
- ~~f. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.5 NOISE

- ~~a. Ambient sound levels and the impact of any cumulative increase.~~
- ~~b. The degree to which the sound contrasts with the characteristics of the existing sound environment in terms of level, character, duration and timing.~~
- ~~c. The length of time, and the level by which the noise limits will be exceeded, particularly at night.~~
- ~~d. The nature and location of nearby activities and the effects they may experience resulting from the increase in sound levels.~~
- ~~e. Whether the sound levels are likely to detract from the amenity or general environmental quality of the surrounding Residential Environment. [300/03]~~
- ~~f. The topography of the allotment and any influence this may have on sound propagation.~~
- ~~g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:
  - ~~i. insulation and barriers and the isolation of the source of the noise.~~~~

#### 4b.4.6 PARKING, LOADING AND ACCESS

- ~~a. Extent to which the safety and efficiency of the roading network, road hierarchy or users of the road would be adversely affected.~~
- ~~b. Whether there will be any adverse effects on the safety of pedestrians using the allotment, road, footpath or vehicle crossing.~~
- ~~c. The type of vehicles using the site, their intensity, the time of day the site is frequented and the likely anticipated vehicle generation.~~
- ~~d. Any adverse visual or nuisance effects on the functioning, amenity and character of the surrounding area and the Rural Environment.~~
- ~~e. Effect of factors in the surrounding roading network including the position and function of the road within the road hierarchy, the actual speed environment of the road, volume of traffic using the road and any other factors that will prevent congestion and confusion between vehicles.~~
- ~~f. Proposed methods for avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:
  - ~~i. measures to improve visibility to and from the vehicle crossing point and alternative construction, location or design~~~~

#### 4b.4.7 SIGNAGE

- ~~a. Location (off or on the allotment), design and appearance of the sign.~~

- ~~b. Adverse effects on the scale and character of the allotment and of the rural landscape and environment, including the nature and proximity of other signage within the surrounding area.~~
- ~~c. Visibility from roads or public open spaces in the vicinity including the effect on views from other allotments in the surrounding area.~~
- ~~d. Effect on the openness and attractiveness of the streetscape.~~
- ~~e. Effect on the amenity of adjoining allotment in terms of such matters as noise, artificial light and glare occurring as a result of the sign.~~
- ~~f. Necessity of sign to direct people to the activity.~~
- ~~g. Effect on the safe and efficient operation of the roading network within the area including the possible distraction or confusion of motorists.~~

#### 4b.4.8

##### EARTHWORKS

- ~~a. Detraction from the amenity of adjoining allotments in terms of such matters as noise and dust occurring as a result of the earthworks, and the resulting impact on the use of these allotments.~~
- ~~b. Potential for the creation of a nuisance effect for residents within the area.~~
- ~~c. Time period for which soil will be exposed.~~
- ~~d. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:
  - ~~i. planned rehabilitation, recontouring and revegetation or the retention of existing vegetation (other than pest species).~~
  - ~~ii. identification of alteration to catchment drainage including diversions and stormwater management during earthworks construction.~~~~
- ~~e. Whether there are any Archaeological sites, and the potential effect of the earthworks on these sites.~~

#### 4b.4.9

##### ODOUR

- ~~a. Detraction from the amenity of other allotments, including the potential for the creation of nuisance effects for residents within the area, and the resulting impact on the use of these allotments.~~
- ~~b. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~
- ~~c. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.10

##### WATER SUPPLY

- ~~a. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.11

#### GEOHERMAL ACTIVITY

- a. ~~The extent to which the activity will impact on the functioning of the existing geothermal based industries, e.g. reverse sensitivity issues.~~
- b. ~~The potential for the activity to be adversely affected in the future by the known effects of geothermal based industries such as subsidence, noise or visual amenity.~~

#### 4b.4.12

#### SUBDIVISION

- a. ~~Any immediate adverse or potentially adverse cumulative effects of the subdivision or subsequent land use on the quality of Taupō District's lakes, waterways and aquifers, and the methods by which such effects can be avoided, remedied or mitigated.~~
- b. ~~Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values and the existing level of infrastructure of the Rural Environment, and the methods by which such effects can be avoided, remedied or mitigated.~~
- c. ~~The level to which the amenity and landscape of the Rural Environment has already been compromised by subdivision and development and the extent to which the locality can absorb further change without creating cumulative adverse effects.~~
- d. ~~Whether the design and layout of the subdivision avoids, remedies or~~
- e. ~~mitigates any adverse effects resulting from identified natural hazards or land contamination, including an assessment of any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- f. ~~The location and scope of earthworks, including its movement to, from and on the site.~~
- g. ~~The clearance or planting of vegetation, including its location, species and maintenance.~~
- h. ~~The potential for financial contributions to avoid, remedy or mitigate any adverse effects on the environment.~~
- i. ~~The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.~~
- j. ~~Any actual or potential effects on areas or features of cultural, historical, landscape or ecological value as identified in the plan.~~
- k. ~~Whether infrastructure can sustainably service the actual or cumulative increase in the density of dwellings above that which is anticipated through the Permitted and Controlled activity status in the District Plan.~~
- l. ~~The effect of the proposed subdivision on the utilisation of geothermal energy resources of Development and Limited Development Geothermal Systems.~~
- m. ~~Whether there is suitable and appropriate physical and legal access to allotments based on the number of new allotments created and any necessary title security of ownership and maintenance.~~

*Note: Where activities such as earthworks and on-site sewage treatment involve discharges to land, air and water, a resource consent may be required from the relevant Regional Council.*

**Refer also to Subsection E – DISTRICT WIDE RULES**

**Plan Change 42  
Deletion of the Mapara  
Valley Environments**

NB: Mapara environments revert to General Rural or Rural Lifestyle Environment. Check [www.taupo.govt.nz/districtplanreview](http://www.taupo.govt.nz/districtplanreview) to view proposed rural lifestyle environment. If not rural lifestyle properties default to General Rural.

The following Overlays and Environments are proposed to be deleted from the Taupo District Plan:

**ePlan Overlays**

- Mapara Escarpment Area
- Mapara Forest Cluster Neighbourhood A
- Mapara Revegetation Area
- Mapara Riparian Area
- Mapara Urban Neighbourhoods
- Mapara Valley Structure Plan Area

**ePlan Environments**

- Mapara Valley Modified Rural Environment
- Mapara Valley Urban Neighbourhood
- Mapara Valley, Forest Cluster
- Mapara Valley, Valley Cluster

**APPENDIX 4: Recommended amendments to the Proposed Plan provision wording (including mapping amendments) - Accepted.**



**Plan Change 42 to the Taupō District Plan  
General Rural and Rural Lifestyle Environments**

(Panel Recommended Version April 2024)



Taupō District Plan  
Changes 2022

**Introductory note**

This boxed text is NOT part of the Plan Change but simply introductory text.  
The complete Taupō District Plan is on the Council website at [www.taupo.govt.nz](http://www.taupo.govt.nz)  
Please note that this plan change includes map changes that can be found at  
[www.taupo.govt.nz/districtplanchanges](http://www.taupo.govt.nz/districtplanchanges)

## **Amendments to the Operative Taupō District Plan - Section 10 Definitions**

**Bonus Lot** - allotments created within the General Rural Environment under rule 4b.5.9 which are associated with the formal protection of no less than 4ha of a Nominated Significant Natural Area.

**Buildings for the management of farmed animals** - for the purposes of rule 4b.2.6 only, includes, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, pet boarding facilities and stables. Buildings housing animals do not include a residential unit accommodating household pets such as cats and dogs. Buildings with floor area of 150m<sup>2</sup> or less are exempt from this definition.

**Greenhouses** - means a structure enclosed by glass or other transparent impermeable material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.

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

**Intensive indoor primary production** - means primary production activities that principally occur within buildings and involve growing fungi or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.

**Land Based Primary Production** - means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.

**Minor residential unit (in relation to the Rural Environments)** - means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.

**National Grid Subdivision Corridor** - means the area measured 37m either side of the centreline of above ground National Grid 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).

**National Grid Support Structure** - means a pole or tower that is part of the National Grid.

**National Grid Yard** - The area located within: 12m in any direction from the visible outer edge of a National Grid tower; or the area located within 12m either side of the centre line of any overhead National Grid line on towers. The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

**Nominated Significant Natural Area** - A contiguous area of Significant Natural Area which is no less than 4ha and is associated with the creation of a Bonus Lot.

**Papakāinga** - Any dwelling or dwellings and associated social (including health), cultural and economic activities on Māori land which is owned by the whanau, hapū or iwi, that enables the occupation of that land by members of the same whanau, hapū or iwi.

- Māori land is within the meaning of Section 129 (1) (a, b, or c) of the Te Ture Whenua Māori Land Act 1993, and
- Is consistent with any license to occupy Māori land that has been issued by the Māori Land Court.

**Primary production** - means:

- a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- d) excludes further processing of those commodities into a different product.

**Primary residential unit** - has the same meaning as 'dwelling'.

**Renewable Electricity Generation** - means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.

**Renewable Electricity Generation Activities** - means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

**Reverse Sensitivity** - is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.

**Rural Industry** - means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.

**Sensitive Activities** (in the National Grid Yard) means:

- a. residential activity;
- b. marae;
- c. hospital;
- d. healthcare activity;
- e. educational facility and preschools;
- f. retirement village;

- g. guest or visitor accommodation activity;
- h. place of assembly; or
- i. papakāinga

**Stock Proof Fence** - A 9 or 10 wire fence as described in Schedule 2.7 of the Fencing Act 1978.

## **Amendments to the Operative Taupō District Plan - Section 3 Objectives and Policies**

### **3b RURAL ENVIRONMENT CHAPTER**

#### **3b.1 Introduction**

The Rural Environment makes up most of the land within the District and has been categorised into two distinct areas, being the General Rural Environment and the Rural Lifestyle Environment. These separate areas highlight the increasing need to protect the open space characteristics of the Rural Environment and its production values, while also providing for the growth of the District and the demand for rural lifestyle living in specific locations.

The Rural Environment also contains sites that are of significance, some of these are identified as Outstanding Landscape Areas. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the productive nature of the land, the rural level of infrastructural services and the amenity values 3b.2.3 of the landscape, as well as managing effects and enabling rural lifestyle living in appropriate areas. Other activities that are anticipated in the Rural Environment are Rural Industry, tourism activities, visitor accommodation and Renewable Electricity Generation and transmission. It is important that all such activities do not affect the ability of the rural environment to function effectively, recognising that some activities have specific locational or operational needs that must be accommodated. It is also important to acknowledge that existing, lawfully established activities in the Rural Environment are able to continue operating and that activities that choose to locate in close proximity to these activities are aware of the effects they can generate and that the Rural Environment is the best location for these activities, and do not limit or restrain those activities. It is expected in the Rural Environment that all properties are self-servicing in terms of the provision of potable water and the disposal of stormwater and wastewater.

The papakāinga provisions recognise the intent of Part 2 of the RMA and provide for the occupation by whanau, hapū or iwi members on Māori land. The provisions recognise the importance of enabling Māori to settle on their ancestral lands. Papakāinga development will often be at higher densities than other residential land uses in the rural environment. Papakāinga may also have associated social, cultural or commercial aspects to support the community who reside there.

In addition to papakāinga there is a wide range of cultural activities and activities of importance to Māori which are appropriate to occur within the rural environment.

#### **General Rural Environment**

The General Rural Environment is predominantly characterised by large open space and vegetated areas including productive farmland and forest, ridgelines, native bush, lakes, rivers and their margins. Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy

sources and plantation forestry activities, with dispersed buildings and rural roads. There is also a wide range of development associated with tourism activities, recreation, and the District is one of New Zealand's most significant for the generation, storage and transmission of renewable electricity.

The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land and other natural resources within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for, yet allowing appropriate development to occur while preserving the rural character of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, renewable electricity generation activities, and rural industry, being activities that directly support, service, or are dependent on primary production and/or have a locational or functional need to be within the General Rural Environment (rather than an urban environment).

Activities in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust. Allowing these activities to operate in a more suitable environment, along with compatible activities, aims to protect rural land uses from unnecessary restrictions.

The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production and/or have a functional or operational need to be within the General Rural Environment. This is to avoid the uptake of General Rural Environment land by activities which are provided for in other Environments and may therefore impact on the land available for primary production activities within the General Rural Environment.

### **Rural Lifestyle Environment**

The Rural Lifestyle Environment has been created to address the increasing demand for rural lifestyle living within the Rural Environment. The Rural Lifestyle Environment aims to provide for rural residential development in specific locations for those who want the benefits of rural living without necessarily undertaking a productive rural activity.

By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production and other activities in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve rural character and the productive potential of the rest of the Rural Environment, and to reduce the potential for land use conflict.

The Rural Lifestyle Environment will be less populated than a Residential Environment, with standards in place for minimum lot sizes to preserve the rural residential aspect of the area. Limited provision is also made for home business and commercial activity to occur, but not of a scale or extent that changes the predominantly rural residential amenity and character intended. The Rural Lifestyle Environment areas are located in

proximity to urban areas to allow for access to community facilities within the district's townships.

### **3b.2 Objectives and Policies - General Rural Environment**

#### **Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources**

Primary production and the use of natural resources are enabled by protecting the availability of rural land and other resources and their productive capability.

#### **Objective 3b.2.2 Maintaining General Rural character**

Enable a range of activities in the General Rural Environment that are compatible with and cumulatively do not erode rural character.

#### **Objective 3b.2.3 Rural industry**

Rural industry is enabled whilst general commercial and industrial activities not having a locational need to be within the General Rural Environment, other than home business, are avoided.

#### **Objective 3b.2.4 Other activities**

Māori cultural activities, tourism activities and visitor accommodation, and other activities that have a locational need are enabled in the General Rural Environment.

#### **Objective 3b.2.5 Avoidance of reverse sensitivity**

Reverse sensitivity effects on permitted, legally established, and/or consented activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.

#### **Objective 3b.2.6 Impacts on infrastructure**

The impacts arising from subdivision and development do not compromise the safe and efficient function of infrastructure.

#### **Objective 3b.2.7 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga.

Papakāinga are of a form and scale that considers the functioning of the General Rural Environment.

#### **Objective 3b.2.8 Tāngata Whenua**

The important relationship that tāngata whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

#### **Objective 3b.2.9 Renewable Electricity Generation and Transmission Activities**

Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.

**Policy 3b.2.10 Maintaining the General Rural character**

Maintain the General Rural Environment character, as defined by:

- a) A predominance of primary production activities
- b) Renewable electricity generation activities and electricity transmission and distribution, including geothermal areas
- c) Generally large open spaces between built structures
- d) A mix of buildings related to primary production, visitor accommodation, tourism activity and rural industry
- e) Generally infrequent vehicle movements to and from a site
- f) Effects generated from rural activities including noise, vibration, odour, dust and light spill
- g) Limited signage that directly relates to the activity operating on the site.

**Policy 3b.2.11 Residential units**

Avoid the cumulative effects of rural lifestyle development by providing for these activities within the Rural Lifestyle Environment and otherwise limiting residential units within the General Rural Environment that:

- a) Increase the demand for community infrastructure and services
- b) Result in the inefficient use of land or loss of future flexibility for productive uses
- c) Erode the general rural character through its density, scale and location.

**Policy 3b.2.12 Heavy vehicle movements**

Manage heavy vehicle movements to minimise damage to the transport network and adverse impacts on road safety.

**Policy 3b.2.13 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised.

**Policy 3b.2.14 Avoiding reverse sensitivity**

Any new activity must be managed so as to avoid reverse sensitivity effects on permitted, lawfully established and/or consented neighbouring activities.

**Policy 3b.2.15 Commercial and industrial activity**

Limit the scale of commercial and industrial activity (excluding rural industry and renewable electricity generation activities) to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production and other activities provided for within the General Rural Environment.

**Policy 3b.2.16 Allotment size**

Maintain allotments at a size of 10 hectares or larger to allow flexibility for a wide range of productive land uses in the future.

**Policy 3b.2.17 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land
- ii. Recognise the social and cultural benefits of the occupation and development of Papakāinga by whanau, hapū and iwi on Māori land
- iii. Allow for Papakāinga on General land owned by Māori where it can be demonstrated that there is an ancestral connection to the land and the land will remain in Māori ownership or be converted to Māori freehold title.

**Policy 3b.2.18 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.
- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and land management activities.

**Policy 3b.2.19 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.

**Policy 3b.2.20 Primary production and ancillary activities**

To enable primary production and ancillary activities, recognising the primary productive purpose of the General Rural Environment.

**Policy 3b.2.21 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;
- ii. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.

### **3b.3 Objectives and Policies - Rural Lifestyle Environment**

#### **Objective 3b.3.1 Character of the Rural Lifestyle Environment**

The character of the Rural Lifestyle Environment is protected from inappropriate subdivision and development.

#### **Objective 3b.3.2 Avoid reverse sensitivity**

Adverse reverse sensitivity effects, including conflict with permitted, legally established and/or consented activities in neighbouring Environments, are avoided.

#### **Objective 3b.3.3 Commercial and industrial activities**

The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the Rural Lifestyle Environment are avoided.

#### **Objective 3b.3.4 Consolidate rural lifestyle activities**

Rural lifestyle activities within identified areas are consolidated to encourage more efficient use of the rural land resource and avoid the fragmentation of land in the General Rural Environment.

#### **Objective 3b.3.5 Allotment sizes**

That allotments are maintained at sizes to:

- a) Enable small scale primary production to occur;
- b) Protect highly productive land for use in land-based primary production; and
- c) Avoid the cumulative impacts on community infrastructure and services arising from an increase in demand or increases to level of service.

#### **Objective 3b.3.6 Impacts on infrastructure**

The impacts arising from subdivision and development do not compromise the safe and efficient function of infrastructure within the Rural Lifestyle Environment.

#### **Objective 3b.3.7 Impacts on community infrastructure**

The impacts on community infrastructure arising from subdivision and development are managed.

#### **Objective 3b.3.8 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga. Papakāinga are of a form and scale that considers the functioning of the Rural Lifestyle Environment.

#### **Objective 3b.3.9 Tāngata Whenua**

The important relationship that mana whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

**Policy 3b.3.10 Character of the Rural Lifestyle Environment**

Manage the anticipated character of the Rural Lifestyle Environment as defined by:

- a) Buildings on different sites are separated from each other in a way that creates a sense of privacy.
- b) Accessory buildings to service rural lifestyle activities that do not dominate the landscape.
- c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.
- d) A general absence of urban infrastructure including community stormwater and wastewater services.
- e) An environment which includes residential activities, rural productive activities and home business activities.
- f) Noise related to production activities during the day but low levels of noise at night.
- g) Low levels of light spill.
- h) Limited signage that directly relates to the activity operating on the site.
- i) An environment that is surrounded by a working rural environment including primary production, geothermal areas/steamfields and renewable electricity generation activities.

**Policy 3b.3.11 Lot sizes and setbacks for allotments adjoining the General Rural Environment**

Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment to manage reverse sensitivity.

**Policy 3b.3.12 On-site servicing**

Require properties to manage its services on-site in terms of the provision of potable water and the disposal of stormwater and wastewater.

**Policy 3b.3.13 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, to further protect the character of the Rural Lifestyle Environment and to avoid reverse sensitivity effects.

**Policy 3b.3.14 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land within the Rural Lifestyle Environment.
- ii. Recognise the social and cultural benefits of the development of papakāinga on Māori land within the Rural Lifestyle Environment.
- iii. Allow for Papakāinga on General Land owned by Māori where there is a historical ancestral connection to the land and it can be demonstrated that

the land will remain in Māori ownership or be converted to Māori freehold title.

**Policy 3b.3.15 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.
- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and management activities.

**Policy 3b.3.16 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.

**Policy 3b.3.17 Centennial Drive Rural Lifestyle Environment**

Avoid subdivision and development within the Rural Lifestyle Environment at Centennial Drive to ensure avoidance of adverse reverse sensitivity effects, including conflict with permitted, legally established and/or consented activities in neighbouring Environments.

**Policy 3b.3.18 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;
- ii. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.

**Amendments to the Operative Taupō District Plan - Section 4 Rules and Standards**

**4e District Wide Rules**

**4e.2 Foreshore Protection**

**Rule 4e.2.1**

Any building on or above ground within a Foreshore Protection Area is a **discretionary activity**.

- i. EXCEPTION: Electricity Generation Core Sites (as identified on the planning maps) - permitted activity where in accordance with Rule 4b.1.4 and where located no more than 100 metres from any existing structure associated with power generation.

## **4b Rural Environment**

### **4b.1 General Rules - General Rural Environment**

#### **4b.1.1 Activities in the General Rural Environment**

- i. Any activity that:
  - a) Complies with all the Performance Standards for the General Rural Environment; and
  - b) Complies with all the District Wide Performance Standards; and
  - c) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the General Rural Environment; and
  - d) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules  
is a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### **4b.1.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit.
- b. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- c. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- d. Effect on nearby sites, including outlook and privacy.
- e. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- f. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.
- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.
- i. The potential to constrain access to and/or the utilisation of renewable energy sources.

- j. The ability to avoid reverse sensitivity effects through the use of screening, planting, landscaping, alternative design and/or other means including restrictive covenants.

#### **4b.1.3 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing; and
  - c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

#### **4b.1.4 Electricity Generation Core Sites, Renewable Electricity Generation Activities and Geothermal Areas**

- i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas, renewable electricity generation activities and associated structures is a **permitted activity**.

NOTE: For the purpose of this rule "maintenance" means:

All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to monitor, test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of and includes maintenance of surrounds and water areas.

NOTE: For the purpose of this rule "minor upgrading" means:

Structural improvement, repair and replacement or upgrade of components, or activities required for the continued safe and efficient operation including worn or technically deficient parts of the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures, and includes associated drilling, vehicles, infrastructure, machinery, testing, monitoring, earthworks and vegetation removal. Also, the extension to existing Buildings and Structures, and the erection of new Buildings and Structures.

#### **4b.1.5 Commercial and industrial activities, and home businesses,**

- i. A commercial, industrial activity (excluding rural industry), or home business which complies with the performance standards is a **permitted activity**.
- ii. A commercial, industrial activity (excluding rural industry), or home business which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.5ii Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses (including reverse sensitivity effects) and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

#### **4b.1.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.2 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.2 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.1.6 ii or iii will not be notified.

#### **When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.2 which the proposal does not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.6 iii, in addition to a and b:
  - a. Historical associations of the land to mana whenua and reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### **4b.1.7 Buildings, structures and activities in the National Grid Yard**

- i. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.2.16 is a **permitted activity**.
- ii. Any permitted building, structure or activity which does not comply with the performance standards in 4b.2.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.1.8 Buildings within Outstanding Landscape Areas**

- i. Provided that the activity has not been identified as a discretionary or non-complying activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of structures:
  - a. Between 5m and 10m in height; or
  - b. For Masts and Poles between 5m and 20m in height; or
  - c. Which are between 250m<sup>2</sup> and 1,000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotmentis a **restricted discretionary activity**.

EXCEPTION: This rule will not apply to the erection of structures:

- a. Within Electricity Generation Core Sites.
- b. For the purpose of Papakāinga.
- c. Within any Māori Reservation established under the Te Ture Whenua Māori Act 1993/ Māori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering:
  - ridgelines and prominent landforms,
  - the need to locate the structure within an Outstanding Landscape Area, and
  - whether there are alternatives,
  - whether the location within an Outstanding Landscape Area is shown to be justified, and
  - how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.
- b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.
- c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS 5252 colour chart with reflectivity level less than 35%.
- d. Measures to reduce window reflectivity by use of overhanging eaves, or low-reflectivity glass.
- e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.
- f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.
- g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.
- h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed

earthworks, which may result in an adverse effect on Landscape Attributes.

#### **4b.1.9 Earthworks within Outstanding Landscape Areas**

Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12 month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of indigenous species or the same or similar species (other than pest species) present on the site prior to earthworks.

EXCEPTION: This rule will not apply to Earthworks within Electricity Generation Core Sites.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The extent to which the Earthworks will change the ground level.
- b. The effect of the Earthworks on the Landscape Attributes.
- c. The degree to which the finished ground levels reflect the contour of the surrounding landform.
- d. The degree to which Earthworks will enable building facades to be extended below natural ground level.
- e. The period that soil will be exposed.
- f. Proposed methods and timing for the remediation or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.
- g. Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.
- h. The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ridgelines and prominent landforms,
  - the location requirement of the activity
  - whether there are alternatives.
- i. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks

#### **4b.1.10 Intensive indoor primary production, greenhouses and rural industry**

- i. An intensive indoor primary production, greenhouses or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3, 4b.2.5 and 4b.2.6 is a **permitted activity**.
- ii. An intensive indoor primary production, greenhouses or rural industry activity which does not comply with these performance standards is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

#### **4b.1.11 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.2.17 are a **permitted activity**.
- ii. Earthworks or vertical holes which do not comply with the performance standards in 4b.2.17 are a **non-complying activity**.

#### **4b.1.12 Noise Corridor Boundary Overlay**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;is proposed which complies with the performance standards in 4b.2.18 is a **permitted activity**.
- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.2.18 is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

### **4b.2 Performance Standards - General Rural Environment**

#### **4b.2.1 Vehicle movements**

- i. 200 'equivalent vehicle movements' per day for the allotment.
  - ii. Papakāinga - 100 'equivalent vehicle movements' per day for the allotment or 24 per dwelling, whichever is the greater.
  - iii. 100 'equivalent vehicle movements' per day where access is to a State Highway.
- EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations or existing and/or consented renewable electricity generation activities.

NOTE: Any accessway onto the State Highway should be developed as per the Waka Kotahi Planning Policy Manual Appendix 5B Standards and Guidelines or any future updates or replacements to this standard.

**4b.2.2 Maximum building coverage**

- i. 10% of the total allotment area.

**4b.2.3 Maximum building size**

- i. 5,000m<sup>2</sup> gross floor area for a single building.

**4b.2.4 Maximum density of primary residential units**

- i. One primary residential unit per 10 hectares.

EXCEPTION: Papakāinga.

**4b.2.5 Maximum building height**

- i. 12 metres.
- ii. 5 metres in a height restricted area.
- iii. 5 metres in an Outstanding Landscape Area.
- iv. 15 metres for renewable electricity generation activities on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site.

EXCEPTIONS:

- Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts - no height limit.
- Cranes being used as part of any construction or maintenance works for the duration of the works - no height limit.
- Drilling Rigs for up to 60 days per well - no height limit.

**4b.2.6 Minimum building setbacks**

- i. 30 metre setback for dwellings, minor residential units and other buildings from the front boundary.
- ii. 15 metres setback for dwellings, minor residential units and other buildings from all other boundaries.
- iii. 25 metres in Outstanding Landscape Areas from all boundaries.
- iv. 200 metres for buildings for the management of farmed animals from all boundaries. NOTE: Buildings with a floor area of 150m<sup>2</sup> or less are exempt from this definition.
- v. There shall be no front boundary setback for buildings and activities associated with Electricity Generation and Renewable Energy Generation Activities on land

- identified as Geothermal Area in Section O within an Electricity Generation Core Site where the road extends over any power generation Building or Structure.
- vi. There shall be no boundary setback for buildings and activities associated with Electricity Generation on land identified as Geothermal Area in Section O within an Electricity Generation Core Site.
  - vii. All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest.

EXCEPTION: For the purpose of this performance standard water tanks are not required to comply with the setback requirements in this standard.

#### **4b.2.7 Minor residential units**

A maximum of one minor residential unit per primary residential unit.

- i. All minor residential units or accommodation activity units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than 40 metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.2.8 Commercial and industrial activities, and home businesses**

- i. Any indoor or outdoor space used for commercial, industrial (excluding rural industry) or home business purposes, shall have a gross floor area less than 100m<sup>2</sup> for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Home business or commercial activities within a Papakāinga.

#### **4b.2.9 Maximum Noise - Limits**

- i. The noise level arising from any activity measured within the notional boundary of any General Rural Environment or Rural Lifestyle Environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:
  - a) 7.00am - 10.00pm 55dBA  $L_{eq}$
  - b) 10.00pm - 7.00am 40dBA  $L_{eq}$  and 70dBA  $L_{max}$

NOTE: For specific noise refer to following Performance Standards.

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

#### **4b.2.10 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803: 1999 Acoustics Construction Noise.

**4b.2.11 Maximum Noise - Electricity Generation Core Sites**

- i. Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.2.9 above as measured:
  - a) Outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or
  - b) Within the Notional Boundary of any Dwelling within the General Rural Environment or Rural Lifestyle Environment where this is beyond the noise control boundary; or
  - c) At the boundary of the Residential Environment where this is beyond the noise control boundary.
  - d) Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc), built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA  $L_{eq}$ ).
  - e) The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA  $L_{eq}$  and 75dBA  $L_{max}$  contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.

**4b.2.12 Maximum Noise - Well Drilling and Testing**

- i. Noise from well drilling and testing:
  - a) at the boundary of any site within the Residential Environment;
  - b) within the notional boundary of any dwelling or accommodation activity within the General Rural Environment or Rural Lifestyle Environment shall not exceed the noise levels set out below, measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics - Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator's expense during the drilling period.
- ii. Time Period Monday to Sunday (inclusive):

	$L_{eq}$	$L_{max}$
7.00am - 10.00pm	70	85
10.00pm - 7.00am	60	75

**4b.2.13 Maximum Noise - Other**

- i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to primary production vehicles, agricultural aviation and support vehicles, including ancillary activities such as the use of frost fans and bird scaring devices primary production machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity

shall comply with the requirements of s16 of the Resource Management Act 1991 and s98 of the National Environmental Standards for Plantation Forestry 2017.

- ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, bursting discs, emergency or upset operating conditions and hydro spills associated with the operation of renewable electricity generation activities within Electricity Generation Core sites. Provided that the activity shall comply with the requirements of s16 of the Resource Management Act 1991.

#### **4b.2.14 Parking, Loading and Access**

- i. In accordance with Section 6: Parking, Loading and Access.

#### **4b.2.15 Signage**

- i. Maximum of one sign per allotment.
- ii. Maximum total face area of sign - 2m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signage.
- v. One temporary sign per allotment for the sale of land or buildings of not more than 2m<sup>2</sup> total face area.
- vi. Where a sign faces a State Highway:
  - a) A sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.

EXCEPTIONS: Official signs required by statute and warning signs related to aspects of public safety are not required to comply with the standards.

#### **4b.2.16 Buildings, structures and activities in the National Grid Yard**

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.
- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:
  - a) a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
  - b) an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms).

- c) irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.
- d) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
  - a) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - b) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
  - c) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.2.17 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical hole/s must not:
  - a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;
  - c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.
- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
  - a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;
  - b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;

- c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

#### **4b.2.18 Noise Control Boundary Overlay - Sensitive Activities**

- i. Within the Noise Corridor Boundary Overlay, where:
- a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;
- is proposed, it shall be:
- i. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
  - ii. If windows must be closed to achieve the design noise levels in i. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
    - a. For habitable rooms for a residential activity, achieves the following requirements:
      - Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
      - is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
      - provides relief for equivalent volumes of spill air; and
      - provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18C and 25C; and
      - Does not generate more than 35 dB LAeq (30s) when measured 1 metre away from any grille or diffuser.
    - b. For other spaces, is as determined by a suitably qualified and experienced person; and
  - iii. A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with i. and ii. above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.
  - iv. Instead of i., ii. and iii. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any State Highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.
- Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level

Occupancy/activity	Maximum road noise level LAeq (24h) *Note 1
<b>Building type: Residential</b>	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
<b>Building type: Education</b>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
<b>Building type: Health</b>	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<b>Building type: Cultural</b>	
Places of worship, marae	35 dB

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

### 4b.3 General Rules - Rural Lifestyle Environment

#### 4b.3.1 Activities in the Rural Lifestyle Environment

- i. Any activity that:
  - a. complies with all of the Performance Standards for the Rural Lifestyle Environment; and
  - b. complies with all the District Wide Performance Standards; and
  - c. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the Rural Lifestyle Environment; and
  - d. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules;
 is a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### 4b.3.2 Minor residential units

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.
- iii. A minor residential unit within the Rural Lifestyle Environment as it applies to Centennial Drive is a **non-complying activity**.

**When considering activities under Rule 4b.3.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit.

- b. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- c. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- d. Effect on nearby sites, including outlook and privacy.
- e. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- f. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.
- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.

#### **4b.3.3 Home business, commercial, and retail activities**

- i. A home business, commercial and retail activity which complies with performance standards is a **permitted activity**.
- ii. A home business, commercial and retail activity which does not comply with performance standards is a **restricted discretionary activity**.

#### **When considering activities under Rule 4b.3.3 Council restricts the exercise of its discretion to the following matters:**

- a. The effect of the activity on the Rural Lifestyle Environment character.
- b. The effects of the activity's vehicle movements, parking, loading and access on the network.
- c. Any nuisance effects such as odour, noise and glare are managed within the site.

#### **4b.3.4 Intensive indoor primary production**

- i. An intensive indoor primary production activity which complies with performance standards is a **permitted activity**.
- ii. An intensive indoor primary production activity which does not comply with performance standards is a **discretionary activity**.

#### **4b.3.5 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is re-instated to its condition prior to the activity commencing; and

- c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

#### **4b.3.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.4 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.4 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.3.6 ii or iii will not be notified.

#### **When considering activities under Rule 4b.3.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.4 which the proposal did not comply with.
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.3.6iii, in addition to a and b:
  - i. Historical reasons why the land was given general title
  - ii. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - iii. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### **4b.3.7 Buildings, structures and activities in the National Grid Yard**

- i. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.4.16 is a **permitted activity**.
- ii. Any permitted building, structure or activity which does not comply with the performance standards in 4b.4.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.3.8 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.4.17 are a **permitted activity**.
- ii. Earthworks or vertical holes which do not comply with the performance standards in 4b.4.17 are a **non-complying activity**.

#### **4b.3.9 Noise Corridor Boundary Overlay**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) or an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building; is proposed which complies with the performance standards in 4b.4.18 is a **permitted activity**.
- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.4.18 is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

### **4b.4 Performance Standards - Rural Lifestyle Environment**

#### **4b.4.1 Vehicle movements**

- i. 50 equivalent vehicle 4b.5.9 per day for the allotment.
- ii. Papakāinga: 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations.

#### **4b.4.2 Maximum building coverage**

- i. 10% of the total allotment area.

#### **4b.4.3 Maximum building size**

- i. 500m<sup>2</sup> gross floor area for a single building.

#### **4b.4.4 Maximum density of primary residential units**

- i. One primary residential unit per two hectares.
- ii. One primary residential unit per four hectares for lots adjoining the General Rural Environment.
- iii. One primary residential unit per four hectares in Areas X and Y (shown on planning map D3 Geothermal Subdivision Rule).

EXCEPTION: Papakāinga.

**4b.4.5 Minor residential units**

- i. No more than one minor residential unit per primary residential unit is permitted.
- ii. All minor residential units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than 40 metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

EXCEPTION: No further minor residential units are provided for within the Rural Lifestyle Environment as it applies to Centennial Drive, and any such application is a non-complying activity as per 4b.3.2.

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

**4b.4.6 Maximum building height**

- i. The maximum height of a building shall not exceed 10 metres.

**4b.4.7 Minimum building setbacks**

- i. 30 metre setback for dwellings and minor residential units and other buildings from the front boundary.
- ii. 15 metres for dwellings, and minor residential units and other buildings from all other boundaries except as restricted by clause iii.
- iii. Dwellings and minor residential units shall be setback a minimum of 50 metres from the General Rural Environment.

EXCEPTION: Water tanks are not required to comply with the setback requirements in this rule.

**4b.4.8 Intensive indoor primary production**

- i. Any intensive indoor primary production activity shall involve less than 100m<sup>2</sup> in gross floor area, or be within a building up to 100m<sup>2</sup> gross floor area per hectare within the allotment, up to a total of 250m<sup>2</sup> gross floor area.

**4b.4.9 Home business, commercial, and retail activities**

- i. Any indoor or outdoor space used for a home business, commercial or retail purposes, shall be less than 100m<sup>2</sup> in gross floor area for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Papakāinga.

**4b.4.10 Signage**

- i. Maximum one sign per allotment.
- ii. Maximum total face area - 1m<sup>2</sup>.

- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signs.
- v. One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings.
- vi. Where the sign faces a State Highway:
  - a) The sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.

**4b.4.11 Parking Loading and Access**

- i. In accordance with Section 6: Parking, Loading and Access.

**4b.4.12 Maximum Artificial Light Level**

- i. 8 LUX (lumens per square metre) at the boundary.

**4b.4.13 Maximum Noise - Limits**

- i. The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.
  - 7.00am - 7.00pm 50dBA L<sub>eq</sub>
  - 7.00pm - 10.00pm 45dBA L<sub>eq</sub>
  - 10.00pm - 7.00am 40dBA L<sub>eq</sub> and 70dBA L<sub>max</sub>

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

**4b.4.14 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics Construction Noise.

**4b.4.15 Maximum Noise - Telecommunication and electricity equipment**

- i. The noise rating level from electricity substations and transformers located in the road reserve permitted by the plan shall comply with the noise limits specified in 4b.4.14 above as measured at a point 1 metre from the closest façade of the nearest dwelling.

**4b.4.16 Buildings, structures and activities in the National Grid Yard**

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.

- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:
  - a. a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
  - b. an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).
  - c. irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.
  - d. undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
  - a) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - b) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
  - c) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.

#### **4b.4.17 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical hole/s must not:
  - a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;
  - c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.

- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
  - a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;
  - b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;
  - c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

#### **4b.4.18 Noise Control Boundary Overlay - Sensitive Activities**

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;is proposed, it shall be:
  - i. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
  - ii. If windows must be closed to achieve the design noise levels in i. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
    - a. For habitable rooms for a residential activity, achieves the following requirements:
      - Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
      - is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
      - provides relief for equivalent volumes of spill air; and
      - provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18C and 25C; and
      - Does not generate more than 35 dB LAeq (30s) when measured 1 metre away from any grille or diffuser.
    - b. For other spaces, is as determined by a suitably qualified and experienced person; and
  - iii. A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with i. and ii. above (as relevant)

prior to the construction or alteration of any building containing an activity sensitive to noise.

- iv. Instead of i., ii. and iii. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any State Highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.

Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level

Occupancy/activity	Maximum road noise level LAeq (24h) *Note 1
<b>Building type: Residential</b>	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
<b>Building type: Education</b>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
<b>Building type: Health</b>	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<b>Building type: Cultural</b>	
Places of worship, marae	35 dB

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

#### 4b.5 Subdivision Rules

##### 4b.5.1 Subdivision - General Rural Environment

- i. Subdivision resulting in lots that are 10 hectares or larger is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 10 hectares is a **non-complying activity**.

##### 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment

- i. Subdivision resulting in lots that are 4 hectares or larger adjoining the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are larger than 2 hectares but smaller than 4 hectares adjoining the General Rural Environment is a **discretionary activity**.
- iii. Subdivision resulting in lots that are 2 hectares or less adjoining the General Rural Environment is a **non-complying activity**.

**4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment**

- i. Subdivision resulting in lots that are 2 hectares or larger that do not adjoin the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 2 hectares that do not adjoin the General Rural Environment is a **non-complying activity**.

**4b.5.4 Subdivision - Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils**

- i. Subdivision resulting in lots that are larger than 2 hectares but smaller than 10 hectares on land containing Land Use Capability Class 3 Soils is a **discretionary activity**.
- ii. Subdivision resulting in lots that are 2 hectares or less on land containing Land Use Capability Class 3 Soils is a **non-complying activity**.

NOTE: This rule pertains to the Land Use Capability Class 3 soils as defined under the National Policy Statement for Highly Productive Land 2022.

**For the purposes of Rules 4b.5.1.i, 4b.5.2.i, 4b.5.3.i, 4b.5.4i and 4b.5.5i, the matters over which the Council reserves control for the purpose of assessment are:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, multi-modal connectivity if appropriate, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's and/or Industry Development Guidelines and Structure Plans.
- d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
- e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
- f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
- g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes, and fault lines.
- h) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.

- i) Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.

**In addition to the above, for the purposes of assessment under Rule 4b.5.2iii the matters over which the Council reserves control for the purpose of assessment are:**

- a. Any potential reverse sensitivity effects on surrounding land-based primary productive activities.
- b. Any potential effects on the functioning of adjacent properties and the location of existing dwellings and sensitive activities.

**In addition to the above, for the purposes of assessment under Rule 4b.5.4i the matters over which the Council reserves control for the purpose of assessment are:**

- a. Any potential adverse effects on the cumulative loss of the availability and productive capacity of highly productive land.
- b. Any potential reverse sensitivity effects on surrounding land-based primary productive activities.

#### **4b.5.5 Subdivision - Default Activity Status**

- i. Any subdivision which is not identified as a controlled, restricted discretionary, or non-complying activity, is a **discretionary activity**.

#### **4b.5.6 Subdivision resulting in a new public road, or extension of existing public road**

- i. Any subdivision or activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The impact of the resulting development on the ability of the wastewater, stormwater and drinking water infrastructure to service the existing service area as well as the new development;
- b. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development including the need for connectivity to adjoining land and other roads and the facilitation of multimodal transport;
- c. The effect that the development will have on the stormwater catchment.

#### **4b.5.7 Subdivision - Other**

- i. Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a **controlled activity**.

Provided that the activity has not been identified as a discretionary activity by another rule in the plan, any subdivision of land in the General Rural Environment and Rural Lifestyle Environment where:

- ii. the resulting allotments are 10ha or larger in the General Rural Environment, and 4ha or larger in the Rural Lifestyle Environment; and
- iii. for any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:
  - a. the certificates of title that contain any dwelling that existed prior to any subdivision, or
  - b. in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicant.

is a **controlled activity**.

- iv. Any subdivision of land in the Rural Lifestyle Environment that is located within Area X<sup>(79)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.
- v. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within Area X or Area Y on Planning Map D3 where the resulting lots are less than 4 hectares is a **non-complying activity**.

NOTE: 4b.5.7 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting or other form of legal protection of that Area.

**For the purposes of Rules 4b.5.7(i), (ii) and (iii) the matters over which the Council reserves control for the purpose of assessment are:**

- a. Those matters of control identified in rules 4b.5.3 and 4b.5.6 above;
- b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;
- c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;
- d. Whether or not the lots will be adequately serviced for drinking water;
- e. The effect that the development will have on the stormwater catchment.

#### **4b.5.8 Subdivision - Outstanding Landscape Areas**

<sup>79</sup> Being the land within the resistivity boundary of the Wairakei-Tauhara Geothermal System

- i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a **non-complying activity**.

**4b.5.9 Subdivision - Bonus Lots**

- i. The creation of one or more Bonus Lots 4ha or greater within the General Rural Environment, or 2ha or greater in the Rural Lifestyle Environment where the lot adjoins the General Rural Environment, is a **Restricted Discretionary activity** provided the subdivision complies with the following requirements:
  - a. Each Bonus Lot must correspond to no less than 4ha of a Nominated Significant Natural Area that is:
    - i. physically protected from livestock by a Stock Proof Fence where it is within 50m of farmed livestock.
    - ii. legally protected in perpetuity or, if on Māori land, a Nga Whenua Rahui kawanata with a tenure of no less than 20 years, from any form of indigenous vegetation clearance and physical development.
    - iii. the legal protection identified in ii occurs after the date this rule becomes operative.
    - iv. not already associated with a Bonus Lot.
    - v. not public land.
  - b. The Bonus Lot(s) will be located in the General Rural and Rural Lifestyle Environment
  - c. The Bonus Lot(s) will not be located within any of the following:
    - i. Significant Natural Area
    - ii. Foreshore Protection Area
    - iii. Outstanding Landscape Area
    - iv. Amenity Landscape Area
    - v. in Area X on Planning Map D3
    - vi. in Area Y on Planning Map D3
  - d. A maximum of five Bonus Lots can be created on any one certificate of title;
  - e. A consent notice shall be placed on the lot(s) that the Nominated Significant Natural Area is located that include the following:
    - i. A map clearly showing the area of that lot within the Nominated Significant Natural Area which has been protected under 4b.5.9.i.a,
    - ii. The corresponding Bonus Lot(s) and the address and title number(s) of those Lots;

**For the purposes of Rule 4b.5.9.i the Council restricts the exercise of its discretion to the following matters:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites within the Bonus Lot and how these may affect the stability of the land and suitability of any future

- building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.
  - d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
  - e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
  - f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
  - g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.
  - h) The potential for reverse sensitivity effects on lawfully established or permitted activities within the General Rural Environment.
  - i) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.
  - j) Any effects on the functioning of the Rural Environment including effects on rural infrastructure.
  - k) The development of other Bonus Lots in the similar area which may lead to urbanisation or more than minor adverse effects on the functioning of the Rural Environment.
  - l) Those matters raised in Policy 3i.2.2 iv.
- ii. The creation of Bonus Lots less than 10ha in size which do not meet the requirements in 4b.5.9.i is a **Non-Complying Activity**

#### **4b.5.10 Subdivision - More than 12 allotments**

- i. Any subdivision of land where more than twelve (12) allotments share a single common access in the General Rural Environment or Rural Lifestyle Environment is a **discretionary activity**.

#### **4b.5.11 Subdivision - National Grid Subdivision Corridor**

- i. Any subdivision of land in the National Grid Subdivision Corridor is a **restricted discretionary activity** provided the subdivision complies with the following standards:
  - a) All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building platform for the likely principal building(s) and any dwelling or sensitive activity located entirely outside of the National Grid Yard.
  - b) Existing vehicle access to National Grid assets is maintained.

For the purposes of Rule 4b.5.11 i. the Council restricts the exercise of its discretion to the following matters:

- a) The risk of electrical hazards affecting public or individual safety, and the risk of property damage, including the extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
- b) The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading.
- c) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.
- d) The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.
- e) The ability to provide a complying building platform outside of the National Grid Yard.
- f) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.
- g) The outcome of any consultation with Transpower.
- h) The risk to the structural integrity of the National Grid.

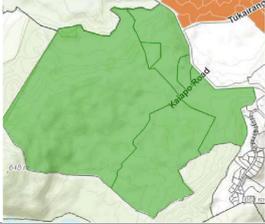
- ii. A subdivision that does not meet the standards within 4b.5.11 i. is a **non-complying activity**.

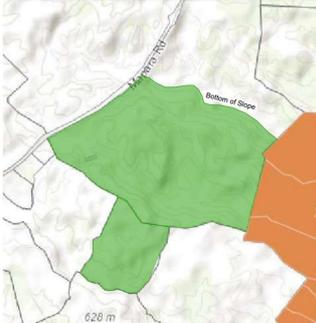
Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

**Refer also to Subsection E – DISTRICT WIDE RULES**

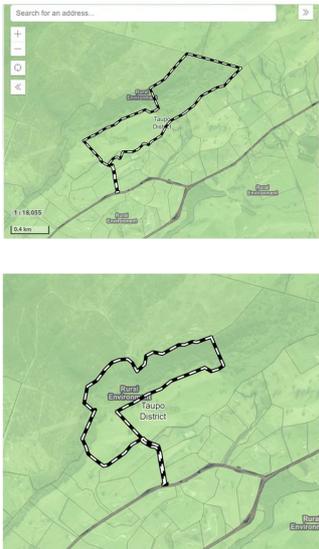
**APPENDIX 5: Individual zoning request evaluations**

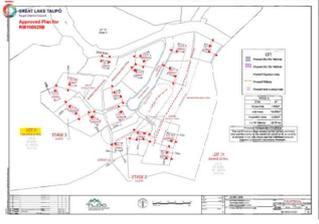
<b>Unique Zoning Request Identifier No:</b>		<b>1</b>
Panel Site visit (Y/N)		Y
Submitter		OS77
Submitter presented at hearing (Y/N)		Yes
Location Map and site description (Cluster of seven sites)  15, 22, 30, 36, 37 and 40 Kaiapo Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes – FS212.13 - opposed
Panel evaluation		<p>The site fails to comply with two of the seven criteria for rezoning on the following matters:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• Three of the seven individual sites within this cluster are in excess of 30 ha</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>2</b>
Panel Site visit (Y/N)		Y
Submitter		OS32
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  1450 Mapara Road		
Council's recommendation	s42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		No
Panel evaluation		<p>The site fails to comply with two of the seven criteria for rezoning on the following matters:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• The site is in excess of 30 ha</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

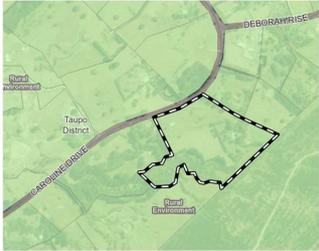
<b>Unique Zoning Request Identifier No:</b>		<b>3</b>
Panel Site visit (Y/N)		Y
Submitter		OS32
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  160 and 166 Tukairangi Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		No
Panel evaluation		<p>The site fails to comply with two of the seven criteria for rezoning on the following matters:</p> <ul style="list-style-type: none"> <li>• The site is subject to the D1 geothermal Rule</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		4
Panel Site visit (Y/N)		Y
Submitter		OS93
Submitter presented at hearing (Y/N)		Yes
Location Map and site description: <ul style="list-style-type: none"> <li>• 104, 122 and 146 Oruanui Road</li> <li>• 21, 41, 61, 194 and 196 Tukairangi Road</li> <li>• 437 Poihipi Road</li> </ul>		 <p>Figure 2: Oruanui Roads Proposed Rural Lifestyle Environment</p>   <p>Figure 4: Tukairangi Road Proposed Rural Lifestyle Environment</p>
Council's recommendation	S42A Recommendation	Accept in part
	Reply Statement Recommendation	Accept
Further submission received		Yes - FS209.207 - support
Panel evaluation		<p>The site complies with all seven criteria and in particular the sites are small and are near to existing clusters.</p> <p>Therefore, the Panel <b>rejects</b> the submission and Council's recommendation to downzone these sites.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>5</b>
Panel Site visit (Y/N)		Y
Submitter		OS42
Submitter presented at hearing (Y/N)		No
Location Map and site description:  40 and 41 Hepina Heights		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes - FS212.8 – Oppose
Panel evaluation		<p>The site fails to comply with two of the seven criteria for rezoning on the following matters:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• Each of the two sites are in excess of 30ha.</li> </ul> <p>We note that if the title boundaries matched the physical features of the site the potential for rezoning the sites may have been more sympathetic.</p> <p>Overall, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>6</b>
Panel Site visit (Y/N)		Y
Submitter		OS60
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  14 King Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		No
Panel evaluation		<p>The Council Reply Statement states that the site is adjacent to an existing cluster. However, the parent allotment has a consent notice on the title that requires that lot to remain as a single title. Therefore, it is physically developed as number of smaller scale lots but remains one larger lot legally, which for all intents and purposes means this site complies with the intent of the seven criteria.</p> <p>Therefore, the Panel <b>accepts</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>7</b>
Panel Site visit (Y/N)		N
Submitter		OS41
Submitter presented at hearing (Y/N)		Yes
Location Map and site description: 34 Parawera Drive and 1114 Acacia Bay Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		No
Panel evaluation		<p>The site fails to comply with three of the seven criteria for rezoning on the following matters:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• Each of the two sites are in excess of 30ha</li> <li>• The sites are covered by SNA, OLA and ALA overlays.</li> </ul> <p>We encourage the ongoing process that has been embarked on between the Council and the Trusts.</p> <p>Overall, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>8</b>
Panel Site visit (Y/N)		N
Submitter		OS117
Submitter presented at hearing (Y/N)		Yes
Location Map and site description: 101 Caroline Drive, Bonshaw Park		
Council's recommendation	S42A Recommendation	
	Reply Statement Recommendation	Reject
Further submission received		
Panel evaluation		<p>This site meets all seven criteria and was notified as RLE. The submitter did not oppose the zoning but sought bespoke rules for the site to allow for 2ha subdivision adjoining GRE.</p> <p>The Panel consider that the notified zoning is appropriate and that the zone provisions adequately provide for the submitters subdivision requirements.</p> <p>Overall, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>9</b>
Panel Site visit (Y/N)		Y
Submitter/s		OS10, OS13, OS100
Submitter presented at hearing (Y/N)		Yes
Location Map and site description: Westbrook – Centennial Drive locality		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		FS231.9 and FS230.4 – Oppose FS216.4 - Support
Panel evaluation		<p>This cluster complies with all seven criteria.</p> <p>The key outcome the submitters were seeking was not specifically related to rezoning but were seeking that the GLE rules allow for smaller blocks to be provided. The Panel considers that the RLE subdivision provisions appropriately reflect the higher order Strategic Directions Objectives and Policies for Urban Form and Development.</p> <p>Therefore, the Panel <b>rejects</b> the submitters to amend the subdivision rules for RLE.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>11</b>
Panel Site visit (Y/N)		Y
Submitter		OS92
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  939 Tukairangi Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>This cluster does not comply with the following three criteria:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• It is over 30 ha – being 56 ha</li> <li>• It is within an Amenity Landscape Area</li> </ul> <p>Although the Panel acknowledges that there is rural lifestyle within the vicinity, it does not meet all seven criteria and therefore we <b>reject</b> this submission.</p>

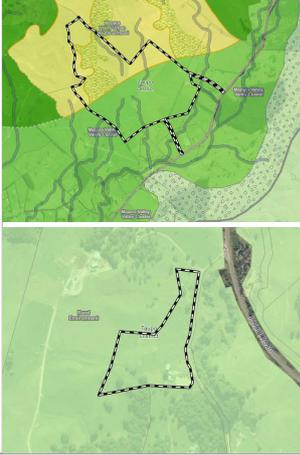
<b>Unique Zoning Request Identifier No:</b>		<b>12</b>
Panel Site visit (Y/N)		Y
Submitter		OS102
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  363 White Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>This site meets all seven criteria and was notified as RLE. The submitter did not oppose the zoning but sought bespoke rules for the site to allow for 2ha subdivision adjoining GRE.</p> <p>The Panel considers that the notified zoning is appropriate and that the zone provisions adequately provide for the submitter's subdivision requirements.</p> <p>Overall, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>13</b>
Panel Site visit (Y/N)		Y
Submitter		OS63
Submitter presented at hearing (Y/N)		Yes
Location Map and site description:  58 Palmer Mill Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>The submission opposes the rezoning to Rural Lifestyle and seeks it to be rezoned to General Rural.</p> <p>The site complies with all seven criteria. The Rural Lifestyle zoning does not diminish the ability to provide for the land to be productive.</p> <p>Therefore, the Panel <b>rejects</b> this submission in favour of retaining the notified zoning.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>14</b>
Panel Site visit (Y/N)		Y
Submitter		OS11 and OS61
Submitter presented at hearing (Y/N)		No
Location Map and site description:  208 Tukairangi Road		
Council's recommendation	S42A Recommendation	Accept
	Reply Statement Recommendation	Accept
Further submission received		
Panel evaluation		<p>This site meets all seven criteria. Although the submitter opposes the RLE in general, they only sought to rezone the front portion of the site.</p> <p>However, it is not best practice to create split zoning over a single site and therefore we accept and adopt Council's Reply Statement assessment to rezone the site RLE given it meets all seven criteria.</p> <p>Therefore, the Panel <b>partially accepts</b> this submission in favour of rezoning the entire site RLE but rejects the notion to only partially rezone the site.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>15</b>
Panel Site visit (Y/N)		Y
Submitter		OS4
Submitter presented at hearing (Y/N)		No
Location Map and site description:  764 Whangamata Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>This cluster does not comply with the following two criteria:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• It is well in excess of 30ha, being 634ha.</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>16</b>
Panel Site visit (Y/N)		Y
Submitter		OS5
Submitter presented at hearing (Y/N)		No
Location Map and site description:  344 Palmer Mill Road		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes - FS212.5 - oppose
Panel evaluation		<p>This cluster does not comply with the following two criteria:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• It is well in excess of 30ha, being 189ha.</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>17</b>
Panel Site visit (Y/N)		Y
Submitter		OS17
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>• 658 Tukairangi Road</li> <li>• 1667 Poihipi Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>This cluster does not comply with the following two criteria:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• One of the two sites is 121ha and therefore is in excess of 30ha</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>18</b>
Panel Site visit (Y/N)		No
Submitter		OS33
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>809 Oruanui Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes FS212.6 - oppose
Panel evaluation		<p>This cluster does not comply with the following two criteria:</p> <ul style="list-style-type: none"> <li>The size of the site over 30ha, being 38.8ha</li> <li>It is not completely surrounded by smaller/lifestyle blocks.</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>19</b>
Panel Site visit (Y/N)		Y
Submitter		OS34
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>• 390 Oruanui Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes FS212.7- oppose
Panel evaluation		This cluster does not comply with the following two criteria: <ul style="list-style-type: none"> <li>• The size of the site over 30ha, being 48.7ha</li> <li>• It is not completely surrounded by smaller/lifestyle blocks.</li> </ul> Therefore, the Panel <b>rejects</b> this submission.

<b>Unique Zoning Request Identifier No:</b>		<b>20</b>
Panel Site visit (Y/N)		Y
Submitter		OS44
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>82 Tukairangi Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>This cluster does not comply with the following two criteria:</p> <ul style="list-style-type: none"> <li>It is not part of an existing cluster of smaller/lifestyle lots</li> <li>The site is subject to the D1 Geothermal rule</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>21</b>
Panel Site visit (Y/N)		Y
Submitter		OS46
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>3/864 Tukairangi Road</li> </ul> Seeks rezoning to General Rural		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		The submitter seeks that this property be rezoned to General Rural and opposes the proposed zoning to Rural Lifestyle. The property was not proposed as RLE by PC42. Therefore, the Panel <b>rejects</b> this submission.

<b>Unique Zoning Request Identifier No:</b>		<b>22</b>
Panel Site visit (Y/N)		Y
Submitter		OS53, OS54, OS73, OS83 and OS116
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>1160 Mapara Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes FS219.6, FS219.7 and FS219.8 – Support
Panel evaluation		<p>The property does not comply with the following two of the seven criteria:</p> <ul style="list-style-type: none"> <li>It is not part of an existing cluster of smaller/lifestyle lots</li> <li>The is in excess of 30ha, being 40.7 ha</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>23</b>
Panel Site visit (Y/N)		Y
Submitter		OS80 and OS81
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>• 1182 Mapara Road</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		Yes FS212.14 – Oppose FS219.12, FS219.13, FS219.14, FS219.15 and FS219.16 – Support.
Panel evaluation		<p>The property does not comply with the following two of the seven criteria:</p> <ul style="list-style-type: none"> <li>• It is not part of an existing cluster of smaller/lifestyle lots</li> <li>• The is in excess of 30ha, being 54 ha</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>24</b>
Panel Site visit (Y/N)		N
Submitter		OS87
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>607 State Highway 1</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>The property does not comply with the following two of the seven criteria:</p> <ul style="list-style-type: none"> <li>The site is accessed from a State Highway</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>25</b>
Panel Site visit (Y/N)		Y
Submitter		OS119
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>Part of 764 Whangamata Road (shown approximately in blue in figure), which would be incorporated with 862 Whangamata Road (in red, proposed as RLE) through a boundary adjustment.</li> </ul>		
Council's recommendation	S42A Recommendation	Reject
	Reply Statement Recommendation	Reject
Further submission received		N/A
Panel evaluation		<p>The property does not comply with the following two of the seven criteria:</p> <ul style="list-style-type: none"> <li>The site is well in excess of 30ha being 634 ha</li> <li>The boundary adjustment has not occurred yet.</li> </ul> <p>Therefore, the Panel <b>rejects</b> this submission.</p>

<b>Unique Zoning Request Identifier No:</b>		<b>26</b>
Panel Site visit (Y/N)		Y
Submitter		OS61
Submitter presented at hearing (Y/N)		No
Location Map and site description: <ul style="list-style-type: none"> <li>• 14, 15, 22, 30, 36, 37 and 40 Kaiapo Road</li> <li>• 28, 40, 82, 120, 160 and 166, 170, <b>208</b>, 500, 526, 548, 654A, 654B and 939 Tukairangi Road</li> <li>• 1160, 1162, 1172, 1182, 1218 and 1250 Mapara Road</li> <li>• 521, 561, 1171 and 1278 Poihipi Road</li> <li>• 214 Whangamata Road</li> <li>• 102, 108 and 140 Tuhingamata Road</li> <li>• 43, <b>254</b>, 269, 331, 374A, 390 and 809 Oruanui Road</li> <li>• 426, 429, 430 and 431, 464, 468, 501, 503, 504, 506A, 506, 508, 512, 605, 607, 609, 755, 759, 761, 765, 831, 833 835, 837, 849, 1/897, 2/897, 897, 917, 953, 969 and 615 SH1 Tokoroa</li> </ul>		
Council's recommendation	S42A Recommendation	Accept in part - Reject all sites with the exception of 2
	Reply Statement Recommendation	Accept in part - Reject all sites with the exception of 2
Further submission received		Yes FS212.10 – Oppose FS219.6, FS219.7, FS219.8, FS219.9 and FS219.10 - Support
Panel evaluation		All properties, with the exception of 254 Oruanui Road and 208 Tukairangi Road do not comply with the seven criteria.  Therefore, we <b>reject</b> the rezoning requests for the following properties: <ul style="list-style-type: none"> <li>• 14, 15, 22, 30, 36, 37 and 40 Kaiapo Road</li> <li>• 28, 40, 82, 120, 160 and 166, 170, 208, 500, 526, 548, 654A, 654B and 939 Tukairangi Road</li> <li>• 1160, 1162, 1172, 1182, 1218 and 1250 Mapara Road</li> <li>• 521, 561, 1171 and 1278 Poihipi Road</li> <li>• 214 Whangamata Road</li> <li>• 102, 108 and 140 Tuhingamata Road</li> <li>• 43, 269, 331, 374A, 390 and 809 Oruanui Road</li> <li>• 426, 429, 430 and 431, 464, 468, 501, 503, 504, 506A, 506, 508, 512, 605, 607, 609, 755, 759, 761, 765, 831, 833 835, 837, 849, 1/897, 2/897, 897, 917, 953, 969 and 615 SH1 Tokoroa</li> </ul> We <b>accept</b> the rezoning of 254 Oruanui Road and 208 Tukairangi to RLE.

**APPENDIX 6: Panel recommendation on Submitter 074 Rezoning Request**

Under Separate Attachment

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS1.1	Sandy	Hay		Hay Tyler Family Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Retain rural lifestyle zoning at White Road.	Accept submission point in full.
OS1.2	Sandy	Hay		Hay Tyler Family Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	Retain General Rural and Rural Lifestyle Environments.	Accept submission point in full.
OS4.1	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks the southern gully portions of 764 Whangamata Rd zoned as rural lifestyle. Please include all of A and B in the Rural Lifestyle zoning as these areas are effectively surveyed (via the July 1975 map, on paper with no survey pegs because only of the cost involved according to the LIA wording) as separate lots within CT493970.	Reject. This is part of a 600+ Ha block and it is not currently Rural Lifestyle.
OS4.2	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks a 300m margin on Lot 2 DPS421722 be zoned as rural lifestyle. Also seeks a 300m margin of Lot 2 DPS421722 which bounds all the rural lifestyle blocks along Holyoake's and Whangamata roads be zoned as rural lifestyle because although it is part of a larger title, it meets all of the criteria.	Reject. This is part of a 600+ Ha block and it is not currently Rural Lifestyle.
OS4.3	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks clarification on why Kinloch rural residential area has been included as Rural Lifestyle.	Kinloch rural residential has been included to align with the National Planning Standards terminology as a district-wide Rural Lifestyle Environment.
OS4.4	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	That transferable development rights (bonus lots) be allowed to be utilized on rural lifestyle where it is bounding rural general. So that the bonus lot can allow that land to be subdivided down to 2ha instead of 4ha.	Accept in part. Rule 4b.5.8 has been updated to reflect that bonus lots can occur in Rural Lifestyle Environment.
OS4.5	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter land at 764 Whangamata road between 135 Holyoakes and Whangamata road, and Holyoakes road (41 - 135) be rural lifestyle zone.	Reject. This is a 634 Ha block which is not currently rural lifestyle in character.
OS4.6	George	Muir	Muir's Reef Limited	Muir's Reef Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	That the rule limiting private ways to 12 allotments be amended where rural lifestyle zones are present so as the max allowed is changed to engineering standards instead.	Reject. A balance is required to allow small lot developments to occur without the road being vested. However once the development is 12+ lots it is appropriate they meet the required standards.
OS5.1	Elizabeth and Rodney	Tipping			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks the addition of 344 Palmer Mill Road to the rural lifestyle zoning.	Reject. This is a 189 Ha block which is not rural lifestyle in character.
OS6.1	Graham	Langford			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.2 Minor residential units	Support	Submitter seeks minor dwelling provision be retained.	Accept submission point in full.
OS7.1	Bruce	Hunter			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Support	Submitter seeks this provision be retained.	Accept submission point in full.
OS8.1	Jamie	Dale			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.5 Temporary Activities	Oppose	Submitter seeks this section be removed or amended from a permitted activity to a controlled activity with controls for managing noise, light spill, vehicle movements, and visual effects.	Reject. Although temporary activities may have some adverse effects, these are very short in nature as the provision only allows temporary activities up to a total of four operational days in any 6 month period. This short timeframe does not constitute a controlled activity status.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS9.5	Lucy	Edwards		New Zealand Defence Force	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Submitter seeks the inclusion of the following new objective, or words to similar effect: <u>Temporary activities enhance and contribute to community connectedness, a vibrant district and the social, environmental, economic and cultural well-being of communities.</u>	Reject, as the submitter's points collectively seek to integrate a framework of an objective, policy and rules in the rural environments chapter to enable temporary military training exercises. This matter will be dealt with in a district-wide manner as part of the transition to national planning standards early in 2024. The objective and policy sought appear to be in support of the submitter's proposed rules, which whilst the objective/policy is broadly about temporary activities, the rules proposed are specific to temporary military training activities. The additional objective is not considered necessary and is not supported.
OS9.6	Lucy	Edwards		New Zealand Defence Force	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Include the following new policy, or words to similar effect: <u>Allow temporary activities provided that their effects are appropriately managed.</u>	Reject. Similar to above, the proposed policy wording is broad and would support rules 4b.1.3 and 4b.3.5 and any additional rules enabling temporary military training activities. The additional policy is not considered necessary to support rules 4b.1.3 and 4b.3.5, and as per below the additional rules are not supported. The recommendation is to reject this point.
OS9.7	Lucy	Edwards		New Zealand Defence Force	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Oppose	Submitter seeks the following amendment to 4b.3.1. <u>Any Temporary Military Training Activities are a permitted activity, provided that:</u> <u>1. The duration is limited to a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the temporary military training activity.</u> <u>2. Compliance with the following noise standards [refer to Attachment B of this letter for complete noise standards] a. Weapons firing and/or the use of explosives [...] b. Mobile noise sources [...] c. Fixed (stationary noise sources [...]) d. Helicopter landing areas [...]</u> Alternatively, the following wording could be incorporated into the existing rule 4b.3.1: Any temporary activity, being an activity of up to a total of three four operational days in any one calendar year six-month period, <u>or a temporary military training activity up to 31 consecutive days</u> , which exceeds any performance standard(s), is a permitted activity, provided that:..	Reject. Whilst the provision 4b.3.1 is more permissive than the operative district plan rule, it does not provide for the 31 consecutive day period sought by the submitter for temporary military training activities. The submitter is invited to engage with Council as part of formulating the re-configuration of the district plan into a national planning standards format, so that this matter can be addressed at a district-wide scale.
OS9.8	Lucy	Edwards		New Zealand Defence Force	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.5 Temporary Activities	Oppose	Submitter seeks the following amendment to 4b.3.5. <u>Any Temporary Military Training Activities are a permitted activity, provided that:</u> <u>1. The duration is limited to a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the temporary military training activity.</u> <u>2. Compliance with the following noise standards [refer to Attachment B of this letter for complete noise standards] a. Weapons firing and/or the use of explosives [...] b. Mobile noise sources [...] c. Fixed (stationary noise sources [...]) d. Helicopter landing areas [...]</u> Alternatively, the following wording could be incorporated into the existing rule 4b.3.5: Any temporary activity, being an activity of up to a total of three four operational days in any one calendar year six-month period, <u>or a temporary military training activity up to 31 consecutive days</u> , which exceeds any performance standard(s), is a permitted activity, provided that:..	Reject. Whilst the provision 4b.3.5 is more permissive than the operative district plan rule, it does not provide for the 31 consecutive day period sought by the submitter for temporary military training activities. The submitter is invited to engage with Council as part of formulating the re-configuration of the district plan into a national planning standards format, so that this matter can be addressed at a district-wide scale.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS10.1	Anna	Pol			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend the wording so ONE Hectare blocks are allowed as of right on Centennial Drive.	Reject. There are existing reverse sensitivity issues to surrounding activities within this area and this submission point would be exacerbating this issue.
OS10.3	Anna	Pol			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Submitter seeks amendment of the wording so one Hectare blocks are allowed as of right on Centennial Drive.	Reject. There are existing reverse sensitivity issues to surrounding activities within this area and this submission point would be exacerbating this issue.
OS11.1	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.4 Maximum density of residential units	Seek amendment	Submitter seeks minimum lot size of 5 hectares in rural lifestyle areas.	Reject. This provision is for maximum residential units and does not dictate rural lifestyle lot sizes.
OS11.2	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Seek amendment	Submitter seeks a set back of 100 metres in rural lifestyle.	Reject. A 100m setback in the Rural Lifestyle environment would result in some properties being unable to build a permitted building.
OS11.3	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.12 Maximum Artificial Light Level	Seek amendment	Amend so no artificial light to be seen.	Reject. It is unreasonable to allow for no artificial light within the Rural Lifestyle environment.
OS11.4	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.13 Maximum Noise - Limits	Seek amendment	Amend so no stereo etc noise to be heard.	Reject. It is unlikely stereo noise would exceed noise levels outlined in the provision, which are NZS6802:2008 standards. Council has powers also pursuant to section 16 RMA 'duty to avoid unreasonable noise'. The submitter's point appears to be that venues hosting weddings and events may have stereo systems and loudspeakers as part of a regular activity. Such activities would trigger the rural performance standards for building size and/or vehicle movements in many instances.
OS11.5	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Support	Retain as notified.	Accept submission point in full.
OS11.6	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend provision to non complying.	Reject, as the four hectare (or two hectares dependent on if adjoining General Rural Environment) differentiation between a controlled and a discretionary activity has been selected based on historic subdivision to that level in the district's rural environment (within the locations identified for inclusion within Rural Lifestyle Environment. Four hectares is not considered 'too small' or 'urban in character', and amending the provision to be a non-complying activity is not favored as a remedy to the submitter's point.
OS11.7	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks front hill of property which bounds Tukairangi Road be rezoned rural lifestyle.	Accept as this portion of property meets criteria for Rural Lifestyle.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS11.8	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Do not rezone rural lifestyle.	Reject. Note that the proposed Rural lifestyle areas are already Rural Lifestyle in character.
OS11.9	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks the removal dry water course valleys so they cannot be shut out of any urban type development.	Reject. Council has the ability to manage this on a case by case basis under section 106 of the Resource Management Act.
OS11.10	Douglas Colin	Wallace			Plan Change 42 - General Rural and Rural Lifestyle Environments	Oppose	Submitter seeks protection for woodlot conservation activities and a rates reduction in acknowledgement of its carbon sequestration.	Reject. This is out of scope for Plan Change 42
OS13.1	Phillip	Greaves			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Submitter seeks smaller subdivision of land and build smaller dwellings per primary household.	Reject. The Rural Lifestyle Environment does not want to encourage cluster like development with smaller lots sizes.
OS14.1	Daniela	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Submitter seeks that White Road be deleted from the rural lifestyle zoning.	Reject. The submitter should refer to the Property Economics lifestyle demand assessment attached to the plan change section 32 report, as this details the supply and demand factors. White Road has been selected as an RLE location based largely on the existing pattern of land use that exists. The intent is not to encourage significantly more subdivision and development, but rather to provide for the current land use in an otherwise rural working environment.
OS14.2	Daniela	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Submitter seeks minimum property size to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and also to reduce pressure and fragmentation of the General Rural Environment.
OS14.3	Daniela	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete as it will change the character of the area.	Reject. Subdivision needs to be focused in Rural Lifestyle area versus General Rural, thus an objective has been provided accordingly so.
OS14.4	Daniela	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Delete as land productivity will be lost.	Reject. The plan needs to provide for home businesses, commercial and retail activities at a scale that is appropriate and fitting within the Rural Lifestyle Environment.
OS14.5	Daniela	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Oppose	Delete.	Reject, as the submitter misunderstands given that the intent is that the Rural Lifestyle Environment areas are entirely based around on-site services, apart from transport which will rely on the existing rural roading network and telecommunications which will be provided by network utility providers. No other infrastructure will be required.
OS15.1	Clive and Coralie	Pritchard			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Rezone 140 Tuhingamata Road as Rural Lifestyle.	Reject. This is a 42 Ha block and would also mean the neighbouring 20 Ha and 40 Ha blocks would need to be zoned to achieve a coherent zoning.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS17.1	Jennifer	Molloy-Hargreaves			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks 1667 Poihipi Road included in the Rural Lifestyle category.	Reject. This 4 Ha block is an isolated block.
OS17.2	Jennifer	Molloy-Hargreaves			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Submitter seeks 1667 Poihipi Road be included within the rural lifestyle environment.	Reject. 1667 Poihipi Road is not located within a cluster of existing Rural Lifestyle blocks.
OS18.1	Brett	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete White Road from rezoning and amend to areas closer to town.	Reject. The submitter should read the Property Economics Report titled 'Taupo Rural Lifestyle Economic Assessment' dated July 2019, as it details the supply and demand within the district for rural residential land use, including with reference to the White Road location.
OS18.2	Brett	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Submitter seeks the minimum property size be amended to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and also to reduce pressure and fragmentation of the General Rural Environment.
OS18.3	Brett	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Submitter seeks objective be deleted as land productivity will be lost.	Reject, the deletion of the objective is not a suitable outcome and not sufficiently justified by the submitter.
OS18.4	Brett	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete objective.	Reject, the deletion of the objective is not a suitable outcome and not sufficiently justified by the submitter.
OS18.5	Brett	Shepherd			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Submitter seeks Rural Lifestyle zoning be removed from White Road.	Reject, as the only infrastructure really required for rural residential land use is roading, as water supply, wastewater and stormwater are managed on-site.
OS22.1	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Support	Include additional definitions to cover the typical range of primary production activities that can be deemed intensive: <b>Intensive Primary Production</b> means any activity defined as intensive indoor primary production or intensive outdoor primary production. <b>Intensive Indoor Primary Production (as per National Planning Standards definition) means</b> primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. <b>Intensive Outdoor Primary Production</b> means any primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period) that principally occurs outdoors which, by the nature of the activity, precludes the maintenance of pasture or ground cover. Excludes Extensive Pig Farming. <b>Excludes Extensive Pig Farming means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry code of practice, and where no fixed buildings are used for the continuous housing of animals.</b>	Reject, as adopting the national planning standards definitions as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'intensive indoor primary production'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS22.2	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition to the plan to provide for Primary Production activities, as per the National Planning Standards <u>Primary production means:</u> <u>(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities;</u> <u>and</u> <u>(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</u> <u>(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but (d) excludes further processing of those commodities into a different product;</u>	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.
OS22.3	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Sensitive activity means any: <u>Residential activity, visitor accommodation, community facility, educational facility, tourism activities, camping grounds, conference facilities, healthcare facilities</u>	Reject, as the term 'sensitive activity' is not used within the Rural Environments chapter and therefore defining it serves no purpose.
OS22.4	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Rename General Rural Environment General Rural Zone to align with zones and zone purpose defined in the National Planning Standards. Incorporate the National Planning Standards description of the General Rural Zone. Amend description as follows: Primary production activities in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust. <u>These effects should be anticipated and tolerated within a productive rural environment.</u>	Reject. As described within the Overarching Section 42A Report Plan Change 42 is not fully compliant national planning standards chapter, despite the adopting the split between general rural and rural lifestyle, as the remainder of the Operative District Plan is not written in the national planning standards format. The Operative Plan relies on the terminology of 'environments' rather than zones. Accordingly Plan Change 42 will be the fore-runner to a full national planning standards format but cannot achieve that at this time.
OS22.5	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Include definition of primary production within the plan change.	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.
OS22.6	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Support	Retain as proposed.	Accept submission point in full.
OS22.7	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Oppose	Amend objective as follows: Maori cultural activities <del>tourism activities, visitor accommodation</del> and renewable electricity generation and transmission activities are enabled in the General Rural Environment. <u>Tourism activities and visitor accommodation are provided for where their establishment and operation will not negatively impact on primary production activities within the General Rural Environment.</u>	Reject, as the objective does seek to include 'tourism activities' and 'visitor accommodation' with thin the broad enabling purpose of the provision. But the submitter should note that these activities remain subject to the performance standards, which restrict scale of activity and apply building setbacks and other standards to such activities to avoid reverse sensitivity effects on primary production activities, as sought to be addressed by the submitter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS22.8	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Submitter supports the objective but it should specifically link back to not constraining the operation of primary production. Submitter seeks amendment as follows: Amend objective as follows: Reverse sensitivity effects on permitted and legally established <u>Primary Production</u> activities within the General Rural Environment, including conflict with activities in neighboring Environments, are avoided.	Reject, as reverse sensitivity effects do not just arise with primary production activities but with a wider range of permitted and legally established activities.
OS22.9	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Amend policy as follows: Maintain the established General Rural Environment character, as defined by: a) Large open spaces between built structures b)..... g) <u>sights, odour and dust associated with primary production activities.</u>	Accept in part, as the proposed wording provides a useful addition to the policy, as the established rural character is not just the appearance of the rural environment, but also the types of effects typically of rural land uses including primary production. "Sights" however has not been included as this does not have a clear meaning.
OS22.10	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Support	Create a policy and rule structure to provide for farm worker accommodation separate from the provisions for minor residential units.	Reject, as in the context of the rural environment minor residential units and farm worker accommodation is in many instances the same thing. The provisions are considered to make adequate provision for farm workers accommodation. Note on larger rural blocks one dwelling per 10 ha is permitted so can be accommodated that way.
OS22.11	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Amend policy as follows: <u>Sensitive activities must be separated from primary production activities through the use of setbacks, to prevent reverse sensitivity effects from impacting on the ability of primary production to operate within the zone.</u>	Accept in part, as amendments have been recommended to the policy in response to other submissions that partially provide the relief being sought by the submitter. Altering the entire policy is not favoured as the wording around 'permitted and lawfully established' is an important element.
OS22.12	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain as proposed. Provide a definition and rule structure for other intensive farming activities beyond Intensive Indoor Primary Production to give clarity to the application of this rule to such activities.	Accept in part, as the submitter supports the rule, and the definition points are addressed above in separate submission points.
OS22.13	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Support	Retain rule as proposed and create a new policy and rule structure to provide for farm worker accommodation separate from the provisions for minor residential units.	Accept in part, as the submitter supports the permitted activity status, but seeks additional policy provisions for farm workers accommodation. As addressed above, the provisions make allowance for minor residential units and dwellings rather than 'farm workers accommodation' as a specific housing form. Note on larger rural blocks one dwelling per 10 ha is permitted so can be accommodated that way.
OS22.14	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Oppose	Amend activity status for commercial and industrial activities to discretionary.	Reject, as the Plan Change 42 framework is to make limited allowance for commercial and industrial activities, but subject to scale performance standards. Making all such activities discretionary is not supported.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS22.15	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Support	Amend rule as follows: An intensive indoor primary production or <u>intensive outdoor primary production</u> or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3, and 4b.2.5 and 4b.2.6 is a permitted activity.	Reject including definitions for intensive outdoor primary production.
OS22.16	Hannah	Ritchie		New Zealand Pork Industry Board	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Support	Amend standard as follows: 4b.2.6 Minimum building setbacks i. 30 metre setback for dwellings and minor residential units from the front boundary. ii. ... iv. <del>200-300</del> 300 metres for buildings for the management of farmed animals, <u>or any hard stand areas, treatment systems or other structures related to an intensive indoor primary production activity from all boundaries the notional boundary of any lawfully established sensitive activity.</u> v. 300 metres for new sensitive activities from the notional boundary of any lawfully established <u>intensive farming activity.</u> ....	Reject, as the term 'sensitive activity' is not used within the Rural Environments chapter and therefore cannot include it within provision as though it has a specific meaning. The various other changes are not supported either, particularly the greater setback given 200 metres is already a substantial setback from boundaries, nor is the wording around 'hardstand areas, treatment systems' and similar wording, as adding too much complexity to the rule and issues around interpretation and enforcement of such a rule wording.
OS23.1	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	NZAAA seeks a new definition be added for <b>Aircraft</b> : <u>Aircraft means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.</u>	Reject, as the term 'aircraft' is not currently used in the rural environments chapter, and also has a common sense meaning.
OS23.2	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	NZAAA seeks a new definition to be added for Agricultural Aviation: <u>i) Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, biosecurity, or biodiversity purposes including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's)ii) For the purposes of this plan agricultural aviation is part of Primary Production activities</u>	Reject, as the term 'agricultural aviation' is not currently used in the rural environments chapter, and there is no need for a definition.
OS23.3	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	NZAAA seeks the inclusion of a definition for Conservation: <u>Conservation activity means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resource and includes: Planting; pest and weed control including the use of agricultural aviation; plant and tree nurseries; and track construction; biosecurity.</u>	Reject, as the term 'conservation activity' is not currently used in the rural environments chapter, and there is no need for a definition.
OS23.4	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	NZAAA seek the inclusion of the definition of Primary Production: <u>'(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and (b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); (c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but (d) excludes further processing of those commodities into a different product'</u>	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS23.5	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	NZAAA seeks the definition of Rural Industry be replaced with the definition from the National Planning Standards: <u>Means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</u>	Accept. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.
OS23.6	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain the objective 3b.2.1.	Accept submission point in full.
OS23.7	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Support	Retain Objective 3b.2.2.	Accept submission point in full.
OS23.8	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain objective 3b.2.3.	Accept submission point in full.
OS23.9	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Support	NZAAA supports the objective but seeks to add 'Conservation activities.'	Reject, as the district plan does not seek to regulate 'conservation activities' and there is not a need to include within the enabling objective.
OS23.10	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain Objective 3b.2.5.	Accept submission point in full.
OS23.11	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Retain the policy and add: <b>g) agricultural aviation activities</b>  Add definition of "Agricultural Aviation" as above	Reject, as the purpose of the policy is not to list all of the activities that might take place within the rural environment, but rather to identify the key features that contribute to the established rural environment character.
OS23.12	Tony	Michelle		New Zealand Agricultural Aviation Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Support	Retain the rule and add: <b>iii. Nothing in the foregoing Performance Standards shall apply to the intermittent use of aircraft for agricultural aviation activities.</b>  Add definition of "Agricultural Aviation" as above	Accept in part, as similar relief has been accepted in response to OS78.7 which addresses this submission point.
OS24.3	Paul	Taylor	Classic Builders Lakes District		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Support	Submitter seeks the retention of the minor dwellings as a permitted activity.	Accept submission point in full.
OS24.4	Paul	Taylor	Classic Builders Lakes District		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Support	Submitter seeks he provision of minor dwellings be retained.	Accept submission point in full.
OS24.5	Paul	Taylor	Classic Builders Lakes District		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.2 Minor residential units	Support	Retain	Accept submission point in full.
OS24.6	Paul	Taylor	Classic Builders Lakes District		Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	Submitter seeks the general rural and rural environments be retained.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS25.1	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Support	Retain definition	Accept submission point in full.
OS25.2	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain introduction	Accept submission point in full.
OS25.3	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Policy 3b.2.9 e) to the following or similar meaning: e) <del>Infrequent</del> <u>Appropriate</u> vehicle movements to and from a site.	Reject, as the term 'appropriate' as sought by the submitter has no clear meaning, whereas 'infrequent' does. The policy provides a description of the land use elements that contribute to the established General Rural Environment character and the existing wording is considered suitable.
OS25.4	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Oppose	Delete the policy or rewrite to allow the use of heavy vehicles.	Reject, as the policy is based around 'manage' heavy vehicle movements and with a clear statement on the reason why (to minimise damage to the network and adverse impacts on road safety), and does not need to be re-written to "allow the use of heavy vehicles".
OS25.5	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Retain policy	Accept submission point in full.
OS25.6	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain objective	Accept submission point in full.
OS25.7	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Support	Retain objective	Accept submission point in full.
OS25.8	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain objective	Accept submission point in full.
OS25.9	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain objective	Accept submission point in full.
OS25.10	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Support	Retain objective	Accept submission point in full.
OS25.11	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain objective	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS25.12	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.8 Tangata Whenua	Support	Retain objective	Accept submission point in full.
OS25.13	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Support	Retain objective	Accept submission point in full.
OS25.14	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Oppose	Rewrite to exempt production forestry from this rule; Or Adjust the Outstanding Landscape Area to exclude plantation forestry.	Reject. Out of scope. The Outstanding Landscape Area mapping was outside of the work undertaken for Plan Change 42 and is therefore outside of the scope of the plan change. the submitter is likely correct that some of the OLA extents do include plantation forestry, but exempting all of the plantation forestry from this rule is not considered a suitable outcome.
OS25.15	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Support	Retain rule and exception.	Accept submission point in full.
OS25.16	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Rewrite the Performance standard to include: <u>vii. 30 metre setback for dwellings and all other buildings from neighbouring boundaries in plantation forestry.</u>	Accept in part however reword amendment as follows:  <u>vii. All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest</u>
OS25.17	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Oppose	Exempt Forestry from this rule; Or Reference the NES PF.	Accept in part so as the NES-PF has already been referenced in Rule 4b.2.13 to exempt forestry through responding to submission point 25.18. The additional reference to 4b.2.9 is not considered necessary.
OS25.18	Sarah-Jane	Luoni	Manulife Forest Management New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Support	Retain Rule; Or Reference the NES PF.	Accept submission point in full. Referenced the NES-PF in Rule 4b.2.13(i) as follows:  <i>(i)... Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991 and S98 of the National Environmental Standards for Plantation Forestry 2017.</i>
OS26.1	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend definition: <b>Means primary production</b> activities that principally occur within buildings <del>that and</del> involve growing <del>produce</del> <b>fungi</b> or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.2	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend: <del>(Rural Environment)</del> the use of land and buildings by people for the purpose of permanent living accommodation and includes associated accessory buildings.	Accept with no amendment. The submitter is referring to a definition within the operative district plan, with no change proposed via Plan Change 42.
OS26.3	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	<del>Amend the definition of Rural Industry: Means industry or business undertaken in a rural environment an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to, forestry, agriculture, dairy farming and geothermal/electricity generation.</del>	Accept. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition ahead of this transition is innocuous and does not result in consequential amendments elsewhere in the ODP.
OS26.4	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Amend to include a definition of 'ancillary rural earthworks' <u>Ancillary rural earthworks means earthworks associated with primary production, such as:</u> <u>a. maintenance of drains, troughs and installation of their associated pipe networks, drilling bores and offtal pits, burying of dead stock and plant waste, erosion and sediment control measures</u> <u>b. the burying of material infected by unwanted organisms as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u>  Note: For clarity, it is noted that cultivation is not 'defined as earthworks'.	Reject, as the district plan does not restrict earthworks in the rural environment to any degree and accordingly this provision is not necessary.
OS26.5	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include a definition for 'agricultural aviation movements', <u>Agricultural aviation movements mean intermittent aircraft and helicopter movements for purposes ancillary to primary production activities, including topdressing, spraying, stock management, fertiliser application, and frost mitigation, and associated refuelling.</u>	Reject, as the definition is considered unnecessary for an activity that is not regulated within the rural environment of the district plan.
OS26.6	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include a definition for 'artificial crop protection structures' <u>Artificial crop protection structure means structures with material used to protect crops and/or enhance growth (excluding greenhouses). Note: For the avoidance of doubt artificial crop protection structures are not a building.</u> Include a definition for 'artificial support structure': <u>Crop support structure means an open structure on which plants are grown.</u>	Reject, as the terms are not used within the rural environments chapter of the district plan and do not need definitions.
OS26.7	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include definition for Audible bird scaring devices: <u>Gas guns and avian distress alarms used for the purposes of disturbing or scaring birds, and excludes firearms and vehicles used for that purpose.</u>	Reject, as the term is not used within the rural environments chapter of the district plan and do not need a definition.
OS26.8	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include definition for Frost Fan: <u>Means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.</u>	Reject, as the term is not used within the rural environments chapter of the district plan and does not need a definition.
OS26.9	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include a definition for greenhouses: <u>Greenhouses means a structure enclosed by glass or other transparent impermeable material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.</u>	Reject, as the term is not used within the rural environments chapter of the district plan and does not need a definition.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.10	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include definition in consideration to National Policy Statement Highly Productive Land	Accept. Although this term is not used within Plan Change 42 it is acknowledged that all parties have obligations to adhere to the NPS-HPL now. Council will go through a future process to update the ODP to respond more fully to NPS-HPL once Waikato Regional Council have completed the relevant mapping required for high class soils. Including the current definition ahead of this does not result in consequential amendments elsewhere in the ODP.
OS26.11	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Add definition for Land Based Primary Production: <u>Production from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.</u>	Accept. Although this term is not used within Plan Change 42 it is acknowledged that all parties have obligations to adhere to the NPS-HPL now. Council will go through a future process to update the ODP to respond more fully to NPS-HPL once Waikato Regional Council have completed the relevant mapping required for high class soils. Including the current definition ahead of this does not result in consequential amendments elsewhere in the ODP.
OS26.12	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Define National Grid Yard as follows: <u>The area located within: 12m in any direction from the visible outer edge of a National Grid tower; or 10m in any direction from a National Grid single pole or pi-pole; or The area located within 10m either side of the centre line of any overhead 110kV National Grid line on single or pi-pole; or The area located within 12m either side of the centre line of any overhead National Grid line on towers</u>	Accept. It is acknowledged there is obligation to respond to the NPS-ET. Although this term is not used within Plan Change 42 there is a future process for transitioning the ODP into national planning standards format where these terms will be included within their own 'Energy' chapter. Including the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.
OS26.13	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include definition <b><u>Has the same meaning as in section 2 of the RMA Includes vibration.</u></b>	Reject, as the term 'noise' is not currently defined in the operative district plan, nor proposed within Plan Change 42. The operative district plan will transition to national planning standards in 2024 and will adopt the definitions of national planning standards.
OS26.14	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include definition for Primary Production: <u>Any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and Includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); Includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but Excludes further processing of those commodities into a different product.</u>	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.
OS26.15	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Include a new definition for reverse sensitivity: <u>Means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the Horticulture New Zealand operation of such existing activity to be constrained</u>	Accept in part insofar as a definition for this phrase is recommended for acceptance, but with a different wording to that proposed by this submitter.
OS26.16	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Submitter seeks new definition for Rural produce retail: <u>Means the sale of rural produce grown or produced by the rural production operation, including products manufactured from that produce</u>	Reject, as the term is not used within the rural environments chapter of the district plan and does not need a definition.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.17	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Submitter seeks a new definition for Seasonal worker accommodation: <u>Seasonal worker accommodation means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u>	Reject, as the phrase 'seasonal worker accommodation' is not used within the operative district plan or the Plan Change 42 provisions, and there is not considered a need for it.
OS26.18	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Submitter seeks a new definition for Shelter belt: <u>Means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s) or to mitigate potential spray drift from agrichemical applications</u>	Reject, as the phrase 'shelter belt' is not used within the operative district plan or the Plan Change 42 provisions, and there is not considered a need for it.
OS26.19	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain	Accept submission point in full.
OS26.20	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3 Objectives and Policies	Seek amendment	Include a new objective OX: <u>The rural zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional and operational need to be in a rural environment.</u>	Reject, as there are similar objectives and policies already in the rural chapter such as Objective 3b.2.1 which covers similar subject matter.
OS26.21	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Support	Retain	Accept submission point in full.
OS26.22	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain	Accept submission point in full.
OS26.23	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Support	Amend: Maori cultural activities, tourism activities, visitor accommodation and renewable electricity generation and transmission activities are enabled in the General Rural Environment <b>where they do not adversely impact on the productive land use</b>	Accept in part but without amendment, insofar as the intent of the submission is supported, but the amendment proposed would also apply to renewable electricity generation and transmission activities, and potentially have wide-ranging and unintended consequences.
OS26.24	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain.	Accept submission point in full.
OS26.25	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Delete policy and replace <u>Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the rural zone, which includes:</u> i. <u>a predominance of primary production activities</u> ii. <u>generally open space between built structures</u> iii. <u>typical adverse effects such as odour, noise and dust associated with a rural working environment; and</u> iv. <u>a diverse range of rural environments, rural character and amenity values throughout the district.</u>	Reject as the proposed amendments do not add clarity to the policy.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.26	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Avoid subdivision that: <u>i. results in the loss of highly productive land for use by land based primary production;</u> <u>ii. fragments land into parcel sizes that are no longer able to support land based primary production, taking into account;</u> <u>iii. the type of farming proposed;</u> <u>iv. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</u> <u>v. provides for rural lifestyle living unless there is an environmental benefit.</u>	Accept in part. A policy has been included referencing the National Policy Statement for Highly Productive Land i.e. Policy 3b.3.15 along with a corresponding rule titled "Subdivision – Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils"
OS26.27	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Avoid land use that <u>i. is incompatible with the purpose, character and amenity of the general rural environment;</u> <u>ii. does not have a functional need to locate in the general rural environment and is more appropriately located in another zone;</u> <u>iii. would result in the loss of productive capacity of highly productive land;</u> <u>iv. would exacerbate natural hazards; and</u> <u>v. cannot provide appropriate on-site infrastructure.</u> <u>vi. could result in reverse sensitivity effects</u>	Accept in part. A policy has been included referencing the National Policy Statement for Highly Productive Land i.e. Policy 3b.3.15 along with a corresponding rule titled "Subdivision – Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils"
OS26.28	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Support	Retain	Accept submission point in full.
OS26.29	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Amend and replace with: <u>Manage the establishment, design and location of new sensitive activities and other non-productive activities in the general rural environment to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.</u>	Accept in part, as amendments have been recommended to the policy in response to other submissions that partially provide the relief being sought by the submitter. Altering the entire policy is not favoured as the wording around 'permitted and lawfully established' is an important element.
OS26.30	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Support	Submitter seeks the policy be amended as follows: <del>Limit the scale of</del> <b>Avoid</b> commercial and industrial activity to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production activities within the general rural environment.	Reject, as some commercial and industrial activity is provided for in the rural environment subject to performance standards on scale, and an outright 'avoidance' is not recommended as a policy approach.
OS26.31	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Support	Retain	Accept submission point in full.
OS26.32	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Support	Retain	Accept submission point in full.
OS26.33	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Support	Retain	Accept submission point in full.
OS26.34	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.4 Consolidate rural lifestyle activities	Oppose	Delete 3b.3.4	Reject, as part of the underlying purpose of the Rural Lifestyle Environment is to consolidate rural lifestyle activities within contained and identified localities, and not elsewhere as has been occurring within the rural environment. Deletion of the objective is not recommended.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.35	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Support	Amend as follows: <del>b) Accessory buildings that do not dominate the landscape.</del> <del>c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.</del>	Reject, as the policy seeks to identify the key characteristics typical of the Rural Lifestyle Environment, and whilst the submitter may not like the phrasing used, the presence of accessory buildings and dwellings surrounded by open space is a part of that character.
OS26.36	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Oppose	Amend as follows: Rename to National Grid and delete <del>High Voltage Transmission Lines</del> Delete 4b.1.7 and replace: <u>Activity status: Permitted Where: PER-1</u> <u>No new building(s) or structures, and extensions shall be erected within 12m of any National Grid support structure, except for fences less than 2.5m in height and more than 5m from the support structure.</u> <u>PER-2</u> <u>Under the National Grid Conductors (wires) the following can occur:</u> <u>A fence less than 2.5m in height</u> <u>An extension to existing buildings used for sensitive activities that do not increase the building envelope</u> <u>Non habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and protective canopies.</u> <u>This rule does not apply to: network utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid.</u> <u>NOTES:</u> <u>Structures and activities located near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001;</u> <u>Vegetation planted near the National Grid Yard should be selected and/or managed to ensure that it complies with the Electricity (Hazards from Trees) Regulations 2003</u>	Reject. Structures are captured within the current ODP definition for building therefore crop protection structures are captured under Rule 4b.1.7.
OS26.37	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Oppose	Amend: Delete 'structures' and replace with ' <b>buildings</b> '. Allow rule for artificial crop protection structure as a permitted activity within outstanding landscape area	Reject, as the term defined in the Operative District Plan is 'buildings' and that definition refers to 'structures' within it. Altering the term used in the rule would be inconsistent with the remainder of the district plan and likely create unintended consequences.
OS26.38	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Oppose	Amend 4b.1.0 to include PER <u>Activity status: Permitted</u> <u>Where: PER-1</u> <u>The earthworks or indigenous vegetation clearance is:</u> <u>Required for repair or maintenance required to provide for safe and reasonable clearance for existing overhead power lines.</u> <u>Necessary to address a risk to public health and safety.</u> <u>For biosecurity reasons.</u> <u>For the sustainable non-commercial harvest of plant material for rongoa Maori.</u> <u>PER-2</u> <u>The earthworks or indigenous vegetation clearance outside the coastal environment complies with standard earthworks or indigenous vegetation clearance</u>	Reject, as a section 6 matter protection of outstanding landscapes, the earthworks and vegetation clearance provisions are relatively restrictive to enable a consenting process for larger-scale land modification activities. The provision is largely a roll-over of the equivalent provision in the operative district plan and has operated effectively, and the submitter's submission point is the entire replacement of the provision without sufficient justification.
OS26.39	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Support	Retain however note amendments to 4b.2.2.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.40	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.2 Maximum building coverage	Support	Amend 4b.2.2 by adding: <del>10-12.5%</del> of the total allotment area  <b><u>This standard does not apply to:</u></b> <b><u>a. Artificial crop protection structures</u></b> <b><u>b. Greenhouses</u></b>	Reject, the standard is 10% in recognition of large property size within the district in many instances, meaning 10% is highly permissive in many instances. This is partially managed with the companion standard 4b.2.3 which sets a maximum building size for individual buildings, as there are several large horticultural greenhouse buildings in the rural environment such as at Mokai. The increase to 12.5% is not considered necessary, and the exclusion for horticultural structures has no basis in environmental effects.
OS26.41	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	Include a permitted activity rule for Seasonal Worker Accommodation RPROZ-RX – Seasonal Worker Accommodation <u>Activity Status: PER</u> <b><u>1. The establishment of a new, or expansion of existing seasonal worker accommodation.</u></b> <u>Where:</u> <b><u>a. The seasonal worker accommodation is associated with horticultural activity</u></b> <b><u>b. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities</u></b> <b><u>c. The accommodation provides for no more than 12 workers</u></b> <b><u>d. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u></b> <u>Where this activity complies with the following rule requirements:</u> <b><u>4b.2.5 – Maximum height</u></b>	Reject, as the provisions do not separately make provision for 'seasonal worker accommodation' but rather are treated as being 'dwellings' or 'minor residential units', for which there are an existing set of provisions. There is not considered an adequate basis demonstrated for the need for separate provisions for 'seasonal worker accommodation'.
OS26.41 cont	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<b><u>4b.2.6 – Setbacks</u></b> <u>Activity status when compliance not achieved:</u> <b><u>2. When compliance with RPROZ-RX</u></b> <b><u>1. (a)-(d) is not achieved: RDIS Matters of discretion:</u></b> <b><u>Those matters in RPROZ-RX 1. (a)-(d) that are not able to be met</u></b> <b><u>Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control.</u></b> <b><u>The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008</u></b> <b><u>4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u></b> <b><u>Note: HortNZ has elsewhere in this submission sought definitions be included for Seasonal Worker Accommodation.</u></b>	As above, the submitter is seeking a parallel set of provisions specifically for 'seasonal worker accommodation'. This is not considered necessary as the existing provisions provide adequately for rural housing.
OS26.42	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Support	Amend 4b.2.5 <b><u>This standard does not apply to:</u></b> <b><u>a. Artificial crop protection structures</u></b>	Reject, as the only exceptions to this standard relate to cranes and drilling rigs as temporary structures which are a long-standing part of geothermal exploration and extraction within the rural environment of the district. There is not considered a rationale demonstrated for the exclusion sought by the submitter.
OS26.43	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Support	Amend 4b.2.6: i. 30 metre setback for <b><u>habitable</u></b> dwellings and minor residential units from the front boundary ii. <del>15</del> <b><u>20</u></b> metres from all other boundaries. vii. <b><u>Artificial crop protection and support structures must be setback at least 1m from all site boundaries</u></b>	Reject, as the submitter proposes a series of amendments to the building setbacks standard, which are not supported. Clarifying that 'dwellings' are habitable is unnecessary, the 15 metre setback has been designed to set an effective distance for future structures but also to reflect typical existing setbacks in the rural environment. The submitter's proposal to incorporate provisions for 'crop protection structures' are not supported as these do not feature in the district currently nor is any need for this standard demonstrated sufficiently. The submitter is welcome to engage with Council regarding these issues.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.44	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Seek amendment	A maximum of one minor residential unit per primary residential unit per allotment. i. All minor residential or accommodation activity units shall: a. <del>Be no larger than 100m<sup>2</sup></del> <b>Not exceed a GFA of 65m<sup>2</sup>; in size.</b> b. Be located no greater than <del>20</del> <b>15</b> metres from the primary residential unit. c. Share an accessway/driveway with the primary residential unit. <del>NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.</del>	Reject. The minor residential unit standard has been drafted based on Council officer experience around the operation of similar operative district plan provisions and demand for tiny homes and mobile homes. Whilst the submitter proposes a series of different standards, these are not preferred and the note is important to provide clarity as to the range of minor residential units covered by the provision.
OS26.45	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Support	Amend 4b.2.8 (i) Any indoor or outdoor space used for commercial, industrial or <del>home business purposes</del> , shall have a gross floor area less than <del>100</del> <b>50</b> m <sup>2</sup> for indoor activities, or 100m <sup>2</sup> of land area for <del>and</del> outdoor activities. Include PER for home business <b>PER - 1 The home business is undertaken within:</b> <b><u>i. a residential unit; or</u></b> <b><u>ii. an accessory building that does not exceed 40m<sup>2</sup> GFA; or</u></b> <b><u>iii. a minor residential unit.</u></b> <b>PER-2 There is no more than two full-time equivalent persons engaged in the home business who reside off-site</b> <b>PER-3 Hours of operation are between:</b> <b><u>7am-8pm Monday to Friday.</u></b> <b><u>8am-8pm Weekends and public holidays.</u></b> <del>i. Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 100m<sup>2</sup> for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities;</del> <b>ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.</b>	Reject, as a 100sq metre scale threshold is considered suitably restrictive to avoid a proliferation of commercial and industrial premises in the rural environment, unless small-scale or with a locational need to be located rurally. The provision is considered to suitably give effect to Objective 3b.2.3. The complexity proposed by the submitter for 'home businesses' is not supported.
OS26.46	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain	Accept submission point in part, insofar as some wording amendments have been made to the wider suite of noise provisions as recommended by the technical acoustic advice.
OS26.47	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	Include NOISE - RX <b>PER-1</b> <b><u>The use is for the protection of crops from frost only</u></b> <b>PER-2: Maintenance or use of frost fans is undertaken between 7am and 10pm. Testing outside these hours may only take place for urgent unforeseen maintenance purposes or for testing operational readiness.</b> <b>PER-3: The maximum noise generated by a single or multiple frost fans shall not exceed 55 dB LAeq(15min) at any time when assessed within the notional boundary of any noise sensitive activity on another site</b> PER- 4: Frost fans are only operated when the air at canopy height is 2 degrees C or less <b>Activity status when compliance not achieved:</b> <b>RDIS: Matters of discretion are restricted to:</b> <b>Operational requirements of frost control fans;</b> <b>Proximity to a residential area or dwelling including the visual effects;</b> <b>Noise mitigation measures;</b> <b>Generation of noise with special audible characteristics;</b> <b>Frequency and duration of operation</b> <b>Location, orientation</b> <b>Monitoring and reporting</b>	Reject, as no evidence provided showing the need to regulate this activity. The submitter appears to be transporting this provision applied to other districts where horticultural activity is more prevalent. There is considered no need to add the provision sought.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.48	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<p>Include NOISE – RX, Activity status: Permitted</p> <p><u>Where: PER-1</u></p> <p><u>Bird scaring devices must only be used between 7.00am and 7.00pm on any calendar year</u></p> <p><u>PER-2: Bird scaring events from any device shall operate at:</u></p> <p><u>Not more than 12 events per hour where an event includes clusters of up to three shots from percussing type devices or three individual shots from a firearm in quick succession</u></p> <p><u>A maximum noise level frequency of 65 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device PER-3</u></p> <p><u>The audible bird scaring device complies with standard:</u></p> <p><u>NOISE -4b.4.13 Maximum Noise Levels.</u></p> <p><u>This standard does not apply to: bird scaring devices that generate a noise level less than 55 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device.</u></p> <p><u>Activity status where compliance not achieved with PER -1 or PER -2: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>The level, hours of operation, duration and nature of the noise;</u></p> <p><u>Proximity and nature of nearby activities and the adverse effects they may experience from the noise;</u></p> <p><u>The existing noise environment;</u></p> <p><u>Effects on character and amenity values on the surrounding environment;</u></p> <p><u>Effects on the health and wellbeing of people; and</u></p> <p><u>Any noise reduction measures.</u></p> <p><u>Activity status where compliance not achieved with PER-3: Non-complying</u></p>	Reject, as no evidence provided showing the need to regulate this activity. The submitter appears to be transporting this provision applied to other districts where horticultural activity is more prevalent. There is considered no need to add the provision sought.
OS26.49	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Support	<p>Amend to be consistent with National Planning definition: Nothing in the foregoing Performance Standards shall apply to <b>primary production activities</b> <del>farm animals including working dogs, and to agricultural and forestry vehicles, agricultural and forestry machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like).</del></p>	Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.
OS26.50	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Support	<p>Amend as follows: Maximum of one sign per allotment</p> <p><del>i. Maximum total face area of sign—2m². The maximum total of sign area on any site must not exceed 3m². Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.</del></p> <p>ii. Signage must relate to the activity undertaken on the allotment.</p> <p>iii. No flashing, reflectorised or illuminated signage.</p> <p><del>iv. One temporary sign per allotment for the sale of land or buildings of not more than 2m² total face area. There shall be no more than two signs per site.</del></p> <p>EXCEPTIONS: ....</p>	Reject, as the standard is deliberately relatively restrictive given the district's rural environment is characterised by being the majority of the district, and with large property size. Whilst the submitter's amendments seek to focus on home businesses and rural retail, it would apply across the General Rural Zone and effectively allow a doubling of signage across this large part of the district.
OS26.51	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.6 Maximum building height	Support	<p>Amend</p> <p>i. The maximum height of a building shall not exceed <del>10</del><u>12</u> metres</p>	Reject, as the maximum height standard is deliberately allowing taller buildings in the General Rural Environment as a working environment where large buildings and structures are more prevalent. There is no such need in the Rural Lifestyle Environment given the different predominant land use, hence the lower standard.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.52	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Support	Amend 4b.2.7 iii. 30 metre setback for <b>habitable</b> dwellings and minor residential units from the front boundary iv. <del>15</del> <b>20</b> metres from all other boundaries. <b>vii. Artificial crop protection and support structures must be setback at least 1m from all site boundaries</b>	Reject, as the submitter proposes a series of amendments to the building setbacks standard, which are not supported. Clarifying that 'dwellings' are habitable is unnecessary, the 15 metre setback has been designed to set an effective distance for future structures but also to reflect typical existing setbacks in the rural environment. The submitter's proposal to incorporate provisions for 'crop protection structures' are not supported as these do not feature in the district currently nor is any need for this standard demonstrated sufficiently. The submitter is welcome to engage with Council regarding these issues.
OS26.53	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.9 Home business, commercial, and retail activities	Support	Delete commercial and retail activities from the rule, Include PER for home business PER - 1 : The home business is undertaken within: <u>i. a residential unit; or</u> <u>ii. an accessory building that does not exceed 40m2 GFA; or</u> <u>iii. a minor residential unit.</u> PER-2: There is no more than two full-time equivalent persons engaged in the home business who reside off-site PER-3: Hours of operation are between: 7am-8pm Monday to Friday, 8am-8pm Weekends and public holidays. <u>Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 100m2 for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.</u> <u>ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.</u> Amend <u>Maximum one sign per allotment. i. There shall be no more than one sign for each road frontage.</u> ii. <u>Maximum total face area – 1m<sup>2</sup>.</u> iii. Signage must relate to the activity undertaken on the allotment. iv. No flashing, reflectorised or illuminated signs. <u>v. One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings. The maximum total of sign area on any site must not exceed 1.5m<sup>2</sup>. Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.</u>	Reject, as the thresholds within the standard are considered suitably restrictive to avoid a proliferation of commercial and industrial premises in the rural environment, unless small-scale or with a locational need to be located rurally. The provision is considered to suitably give effect to the objectives. The complexity proposed by the submitter for 'home businesses' is not supported.
OS26.54	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.12 Maximum Artificial Light Level	Support	Amend: <b>8 10</b> LUX (lumens per square meter) at the boundary	Reject, as there are several submission points on this standard, and in particular the lux level seeking both higher and lower levels. Waka Kotahi are seeking a lower level on the basis of consistency with Table 3.2 of the Australian New Zealand Standard 4282.2019 the standard on Controlling the Obtrusive Effects of Outdoor Lighting. Retention of the rule and lux level without amendment is favoured as a suitable standard given the range of submission points on this matter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS26.55	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Delete GRUZ from controlled activity rule <u>Activity status – Restricted discretionary</u> <u>RDIS-1: Where subdivision complies with standards:</u> <u>minimum lot sizes</u> <u>Requirements for building platform for each allotment</u> <u>Water supply</u> <u>Stormwater management</u> <u>Wastewater disposal</u> <u>Telecommunications and power supply</u> <u>Easements for any purpose</u> <u>Note: Text in yellow should relate to SUB standards however these have not been included in draft</u> <u>Matters of discretion are limited to:</u> <u>The potential adverse effects on adjoining horticultural and agricultural activities, including reverse sensitivity effects</u> <u>NOTE: Applications for restricted discretionary subdivision within the Rural Production Zone will be notified</u> <u>Activity status where compliance is not achieved – Discretionary</u>	Reject. To respond to the submitter's query there is a clear distinction between the form of subdivision suitable for the environment, and the form of subdivision unlikely to be suitable, with a strong activity status distinction based on the lot sizes achieved. Abandoning that distinction which has been carefully formulated and adopting the submitter's alternative is not recommended.
OS26.56	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Oppose	Amend: Subdivision resulting in lots that are 4 hectares or larger adjoining the General Rural Environment is a <del>controlled activity</del> <u>restricted discretionary activity</u>	Reject. To respond to the submitter's query there is a clear distinction between the form of subdivision suitable for the environment, and the form of subdivision unlikely to be suitable, with a strong activity status distinction based on the lot sizes achieved. Council is comfortable with the controlled activity status as sees no need to refuse such consents.
OS26.57	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.7 Subdivision - Outstanding Landscape Areas	Support	Submitter seeks the following amendment: Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area <del>where the resulting lots are less than 10 hectares</del> , is a non-complying activity	Reject. A ten hectare lot size within an Outstanding Landscape Area will preserve the landscape characteristics that the OLA identification seeks to preserve. Changing all subdivision within OLAs to be a non-complying activity is not considered necessary as proposed by the submitter.
OS26.58	Sarah	Cameron	Horticulture New Zealand		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Oppose	Delete Rule	Reject, as the TDP currently includes mapped SNA's. The Bonus Lot rule was in the TDP but it was identified that changes needed to be made to it to provide more of an incentive to landowners and also bring it in line with the proposed changes to rural subdivision rules in PC42. It is however noted that the natural values framework in the plan will need to be reviewed in light of the NPS-IB. The suitability of the rule will need to be considered in light of that review. In the interim it is considered to keep the rule given the recognition it provides to landowners and the opportunities to protect and enhance the values of identified SNA's within the District.
OS27.1	Matthew	Shepherd		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete White Road from rezoning and amend to areas closer to town.	Reject. The submitter should refer to the Property Economics lifestyle demand assessment attached to the plan change section 32 report, as this details the supply and demand factors. White Road has been selected as an RLE location based largely on the existing pattern of land use that exists. The intent is not to encourage significantly more subdivision and development, but rather to provide for the current land use in an otherwise rural working environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS27.2	Matthew	Shepherd		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	Amend minimum lot size in Rural Lifestyle to 4Ha.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and also to reduce pressure and fragmentation of the General Rural Environment.
OS27.3	Matthew	Shepherd		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Submitter seeks the objective be deleted.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and also to reduce pressure and fragmentation of the General Rural Environment. Objective 3b.3.1 protect the Rural Lifestyle area from inappropriate subdivision and development.
OS27.4	Matthew	Shepherd		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Submitter seeks the objective be deleted.	Reject. PC42 seeks to protect General Rural activities from reverse sensitivity effects and does not want to encourage non-rural businesses establishing within the zone.
OS27.5	Matthew	Shepherd		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete Rural Lifestyle zoning from White Road.	Reject, as the submitter misunderstands given that the intent is that the Rural Lifestyle Environment areas are entirely based around on-site services, apart from transport which will rely on the existing rural roading network and telecommunications which will be provided by network utility providers. No other infrastructure will be required.
OS28.1	Belinda	Leonard-Jones		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete White Road from Rural Lifestyle zoning.	Reject. The submitter should refer to the Property Economics lifestyle demand assessment attached to the plan change section 32 report, as this details the supply and demand factors. White Road has been selected as an RLE location based largely on the existing pattern of land use that exists. The intent is not to encourage significantly more subdivision and development, but rather to provide for the current land use in an otherwise rural working environment.
OS28.2	Belinda	Leonard-Jones		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	Submitter seeks a minimum lot size of 4 hectares in Rural Lifestyle.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and also to reduce pressure and fragmentation of the General Rural Environment.
OS28.3	Belinda	Leonard-Jones		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Submitter seeks the objective be deleted.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and reduce pressure and fragmentation of the General Rural Environment. Objective 3b.3.1 protects the Rural Lifestyle area from inappropriate subdivision and development.
OS28.4	Belinda	Leonard-Jones		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Submitter seeks deletion of the objective.	Reject. PC42 seeks to to protect General Rural activities from reverse sensitivity effects and does not want to encourage non-rural businesses establishing within the zone.
OS28.5	Belinda	Leonard-Jones		N/A	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Submitter seeks the removal of White Road as rural lifestyle zoning.	Reject, as the submitter misunderstands given that the intent is that the Rural Lifestyle Environment areas are entirely based around on-site services, apart from transport which will rely on the existing rural roading network and telecommunications which will be provided by network utility providers. No other infrastructure will be required.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS29.14	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Oppose	Do not rezone the proposed areas in the rural environment to lifestyle environment. Provide a map displaying significant overlays associated with the proposed areas for rezoning, including LUC classification, SNAs, SGFs and hazards overlays.	Reject. There are no SNAs, SGFs or significant hazards within the proposed RL areas. Council has sought to get the LUC classification however this is data held by the Regional Council.
OS29.15	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	All gully systems with the proposed are to be identified and mapped such that any prospective landowner would have certainty. Further, the plan change to include rules to ensure that any development is excluded from the gully areas, and that should any development be allowed that a resource consent is required.	Reject, as the proposal from the submitter does not have merit. The mapping of the gullies within the rural environment serves no obvious purpose. Identification of the Rural Lifestyle Environment as primarily based on locations of existing rural residential land use and the provisions do not enable large-scale intensification.
OS29.16	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	Change the activity status of the rules and include text as below: (a) Rules 4b.5.1i, 4b.5.2i, 4b.5.3i and 4b.5.6i should be changed to restricted discretionary activities; and (b) The matters over which the Council retains discretion for each rule should include the following (or similar): <u>The suitability of the subject land for residential purposes having particular regard to its existing and future susceptibility to natural hazards, including consideration of the potential exacerbation of such effects due to climate change.</u>	Reject. The identification of natural hazards in the district is part of a wider piece of work being undertaken by Council which will form the basis of the 'Hazards and Risks' chapter of the future national planning standards format district plan. The submitter is invited to engage with Council regarding this work programme. Council also has section 106 RMA powers that can be exercised.
OS29.17	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	Matters of control and discretion: Include a reference to "natural wetlands" to the matters of control and discretion for the proposed controlled and restricted discretionary activity rules for subdivision.	Reject, as the rural provisions focus on land use and subdivision (and not earthworks or land disturbance) with minimum lot sizes that are relatively large. The consenting of earthworks or land disturbance is primarily managed in the district under the Waikato Regional Plan.
OS29.18	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	Matters of control and discretion: Include a reference to gully erosion to the matters of control/discretion for the proposed controlled and restricted discretionary activity rules for subdivision.	Reject, as the forms of land use development in the General Rural and Rural Lifestyle environments involves large lots, small building footprints and large areas of permeable surfaces allowing for a variety of stormwater management measures, including to avoid erosion in the manner the submitter is referring to. Council also has section 106 RMA powers that can be exercised.
OS29.25	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Give regard to Change 1 to the WRPS as a 'proposed policy statement' in the proposed plan changes.	Accept in part, insofar as Council has given regard to Change 1 of the WRPS to the extent that it is determinative of Plan Change 42. Change 1 has a focus to incorporate the requirements of the National Policy Statement on Urban Development 2020 and to reflect the updated Future Proof Strategy. Whilst of importance to the region, there is limited overlap with Plan Change 42.
OS29.31	Joao Paulo	Silva	Waikato Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Update PPPC38-43 to the new plan format provided with the National Planning Standards 2019	It is acknowledged there is a future process for transitioning the ODP into national planning standards format. However, the process for Plan Changes 38-42 had already progressed too far to implement this now.  In order to transition efficiently without resulting in the re-drafting of provisions, Council will comprehensively transition the ODP into national planning standard format next year. It is important to note that national planning standards definitions do not need to be updated until 2027.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS30.1	Jill	Stanaway		and Chris Tamarua	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Support	Submitter seeks that Rural Lifestyle properties adjoining General Rural be able to be subdivided to 2 Ha by right..	Reject so to avoid reverse sensitivity effects on activities within the General Rural Zone.
OS32.1	Kirsteen	McDonald	McKenzie & Co	Unicorn Pacific Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the proposed Rural Lifestyle Area to include part of the property at 1450 Mapara Road and the properties at 160 and 166 Tukairangi Road as Rural Lifestyle Environment.	Reject. 1450 Mapara Rd is a 303 Ha block and is partially covered by existing restriction under the Residential rule. Tukairangi Road properties have been excluded due to existing restriction under the geothermal residential rule.
OS33.1	Kirsteen	McDonald		Marcus Deadman	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Rezone the property at 809 Oruanui Road to Rural Lifestyle Environment.	Reject. This is a 38 Ha block which is not currently a rural lifestyle block.
OS34.1	Kirsteen	McDonald		Highlands Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Rezone the property at 390 Oruanui Road to Rural Lifestyle Environment.	Reject. This is a 48Ha block and not currently a rural lifestyle block.
OS35.1	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Submitter supports the introductory section with the following amendment: "...Other activities that are anticipated in the Rural Environment are <b>Rural Industry</b> , tourism activities, visitor accommodation and renewable electricity generation and transmission. ..."	Accept, with the amendment recommended as sought by the submitter.
OS35.2	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain as notified.	Accept submission point in full.
OS35.3	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain as notified.	Accept submission point in full.
OS35.4	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Support the Objective as proposed which recognises the need to enable rural industry.  Also request the wording of Objectives 3b.2.3 and 3b.3.3 are amended to ensure that they align i.e. both use the term functional need, rather than one referring to locational need and one referring to functional need.	Accept in part, insofar as the provisions are being amended in response to similar submission points made by others.
OS35.5	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Support the objective with amendments as follows): Reverse sensitivity effects on permitted and legally established activities within the General Rural Environment, <del>including conflict with activities in neighbouring Environments</del> , are avoided.	Reject, as the provision is being amended in response to other submission points, but the submitter's deletion is not supported as would remove an important phrase within the provision necessary for its meaning.
OS35.6	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain Objective as notified.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS35.7	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Support the policy as proposed with amendments as follows: Maintain the established General Rural Environment character, as defined by: a).... c) Noises related to production activities during the day but <u>generally</u> low levels of noise at night d) Low levels of light spill. e) <u>Generally</u> Infrequent vehicle movements to and from a site f)....	Accept, as the policy is intended as a description of the characteristics of the established character, and the clauses are not intended as absolutes and hence the addition of the word 'generally' is appropriate.
OS35.8	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Support	Support the policy as proposed, with amendments that either: Provide a definition of "heavy vehicle" or Use the existing terminology in the plan for "truck" in place of heavy vehicle.	Reject, as the existing district plan definition for 'equivalent vehicle movement' already provides detail on the meaning of 'truck' and 'truck and trailer', and it is not the place of a policy to include definitional elements.
OS35.9	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Suggested wording of a new policy is: <u>Manage subdivision and land use activities to ensure reverse sensitivity effects on lawfully established activities are avoided.</u>	Accept in part, as amendments have been recommended to the policy in response to other submissions that partially provide the relief being sought by the submitter. Altering the entire policy is not favoured as the wording around 'permitted and lawfully established' is an important element.
OS35.10	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Support	Support the policy as proposed provided (deletions strikethrough, additions underlined):  1. A specific exclusion for Rural Industry is included in the policy as follows: Limit the scale of commercial and industrial activity, <u>excluding Rural Industry</u> , to avoid the uptake of general rural land by activities ....  2. Noting previous relief seeking inclusion of the definition of Rural Industry from the National Planning Standards	Accept in part. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition for 'rural industry' ahead of this transition does not result in consequential amendments elsewhere in the ODP.  However, reject the submitters amendment to include the exclusion of rural industry from Policy 3b.2.14. The 'rural industry' definition does not mention commercial or industrial activities so linking the term into this policy is a conflicting message.
OS35.11	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Seek amendment	Support the rule with the following amendments (deletions strikethrough, additions underlined): <del>4b.1.5 Commercial and industrial activities, and home businesses,</del> i. <del>A commercial, industrial activity or home business which complies with the performance standards is a permitted activity.</del> ii. A commercial, industrial activity or home business, <u>excluding Rural Industry</u> , which does not comply with the performance standards is a restricted discretionary activity. When considering activities under Rule 4b.1.5 Council restricts the exercise of its discretion to the following matters: a. ... f. <u>The functional need to the activity to locate in the General Rural Environment.</u> Also request the wording of Objectives 3b.2.3 and 3b.3.3 are amended to ensure that they align i.e. both use the term functional need, rather than one referring to locational need and one referring to functional need.	Reject, as the purpose of 4b.1.5 is simply to differentiate activity status on the basis of compliance or not with the performance standard, which in turn manages the scale of 'commercial and industrial activities, and home businesses'.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS35.12	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.6 Papakainga	Support	Submitter supports the rule with amendments as follows: When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters: a. Those performance standards in 4b.2 which the proposal does not comply with b. Any effects, <u>including reverse sensitivity effects</u> , on the functioning of the rural environment including effects on rural infrastructure.	Reject as the provisions recognise the requirement for council to recognise and provide for the relationship of māori to their ancestral lands as required by Section 6e of the Act. In this instance it is within the context of enabling the active occupation of ancestral land within the rural environment, by whanau. This relationship to ancestral lands is important to be recognised and means that there is an expectation that the land may be occupied by whanau. While the issues associated with reverse sensitivity effects is acknowledged, this needs to be considered against the historical associations and expectations for the land. These associations and expectations will generally predate the surrounding land uses. The rule as proposed considers effects on the functioning of the rural environment which is considered to be more appropriate to ensure the effective use of that environment.
OS35.13	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Seek amendment	1. The following change is sought to the matters for discretion for restricted discretionary activities: i.... iii. <u>Applications under Rules 4b.1.10 ii will not be notified.</u> The Council restricts the exercise of its discretion to the <u>consideration of the performance standards in 4b.2 which the proposal does not comply with.</u> <del>a. The daily vehicle movements expected to and from the allotment.</del> <del>b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.</del> <del>c. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.</del> <del>d. The hours of operation for the activity.</del> <del>e. The proposed signage associated with the activity.</del> The Council restricts the exercise of its discretion to the following matters: <del>a. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.</del> <del>b. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.</del> <del>c. The hours of operation for the activity.</del> <del>d. The proposed signage associated with the activity</del> 2. Noting previous relief seeking inclusion of the definition of Rural Industry from the <u>National Planning Standards</u> .	Reject, as the format of the district plan is not to make statements regarding whether a type of application will be notified or will not be notified (with a few exceptions such as papakainga). Deletion of the various matters of discretion, as sought by the submitter, does not assist plan users with certainty either and is not supported.
OS35.14	Patrick	Edwards		Miraka Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Specific exclusion of Rural Industry from this requirement is recommended as follows: 4b.2.8 Commercial and industrial activities, and home businesses i. Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 100m <sup>2</sup> for indoor activities, or 100m <sup>2</sup> of land area for outdoor activities. ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates. iii <u>Rule 4b.2.8 does not apply to Rural Industry.</u> EXCEPTION: Home business or commercial activities within a Papakainga.	Reject. To clarify for the submitter, the activity status for 'intensive indoor primary production and rural industry' is determined by 4b.1.10, which is largely based on compliance with a set of performance standards as listed within the rule. Rule 4b.2.8 relates to other commercial and industrial activities that are not 'rural industry'. ☐
OS37.1	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Retain definition for papakainga Amend definition for Rural Industry as follows Rural Industry – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, dairy farming and <del>geothermal</del> <u>renewable</u> electricity generation	Reject in so far as the definition for 'rural industry' has already been amended via other submissions to be consistent with national planning standards.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS37.2	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain	Accept submission point in full.
OS37.3	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Amend as follows: Maori cultural activities, tourism activities, visitor accommodation, and renewable electricity generation and transmission activities, <u>and other activities that have a locational need</u> are enabled in the General Rural Environment	Accept with the wording amendment recommended.
OS37.4	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain	Accept submission point in full.
OS37.5	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain	Accept submission point in full.
OS37.6	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.8 Tangata Whenua	Support	Retain	Accept submission point in full.
OS37.7	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Oppose	<i>Amend as follows</i> <del>Any adverse effects generated by an activity must be managed within the allotment so as to avoid adversely affecting permitted and lawfully established neighbouring activities. Avoid, remedy or mitigate reverse sensitivity effects, including by imposing appropriate standards and conditions on development</del>	Reject as the amendment is re-wording a policy, but not in a manner that has greater clarity or is more effective.
OS37.8	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.16 Papakainga	Support	Retain	Accept submission point in full.
OS37.9	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.17 Maori Cultural Activities	Support	Retain	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS37.10	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.6 Papakainga	Seek amendment	Amend as follows: When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters: a. Those performance standards in 4b.2 which the proposal does not comply with b. Any effects on the functioning of the rural environment including effects on rural infrastructure or other lawfully established activities in the Rural Environment. c. For 4b.1.6 iii, in addition to a and b: a. Historical associations of the land to mana whenua and reasons why the land was given general title b. Whether the land can be converted to Maori title under Te Ture Whenua Act 1993 c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Maori administration and maintenance of the land title	Reject as the provisions recognise the requirement for council to recognise and provide for the relationship of māori to their ancestral lands as required by Section 6e of the Act. In this instance it is within the context of enabling the active occupation of ancestral land within the rural environment, by whanau. This relationship to ancestral lands is important to be recognised and means that there is an expectation that the land may be occupied by whanau. While the issues associated with reverse sensitivity effects is acknowledged, this needs to be considered against the historical associations and expectations for the land. These associations and expectations will generally predate the surrounding land uses. The rule as proposed considers effects on the functioning of the rural environment which is considered to be more appropriate to ensure the effective use of that environment.
OS37.11	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.3 Maximum building size	Support	Retain	Accept submission point in full
OS37.12	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Support	Retain	Accept submission point in full.
OS37.13	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.4 Maximum density of primary residential units	Support	Retain	Accept submission point in full.
OS37.14	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Support	Retain	Accept submission point in full.
OS37.15	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend as follows: i. 30 metre setback for dwellings, papakainga and minor residential units from the front boundary	Reject submission point on the basis that papakāinga is a land use which can include dwellings and other buildings. These structures are already identified in the standards as proposed and recommended to be changed.
OS37.16	Dev	Affleck	Tuaropaki Trust	Tuaropaki Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Retain	Accept submission point in full.
OS38.4	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Seek amendment	Remove the blanket rule for the District and amend this temporary activity rule to be - •for General Rural Environment and Rural Lifestyle Environment - a total of 1 or 2 operational days in a year, with 3 or 4 non operational days •for Town Centre and maybe Industrial Environments - the new rule	Reject, as there is demand for temporary activities across the rural areas of the district, including on private land. These are for a multitude of purposes, often involve nil or minimal adverse effects and many would otherwise not be a permitted activity and require resource consent.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS38.5	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	With increased density there would need to be rules and standards that would be similar to residential zoning so that land holders within the new rural lifestyle environment cannot go ahead with an activity that would be more suited in an alternative environment.	Accept in part, as the submitter appears to be over-estimating the extent of change facilitated by the Plan Change 42 provisions. The Rural Lifestyle Environment provisions are still based around a two hectare minimum lot size and four hectares where adjoining General Rural Environment, and a single dwelling (plus minor unit) per lot. This level of density is still rural residential and not a significant change in character or use from the existing.
OS38.6	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.5 Temporary Activities	Seek amendment	Remove the blanket rule for the District and amend this temporary activity rule to be - <ul style="list-style-type: none"> <li>for General Rural Environment and Rural Lifestyle Environment - a total of 1 or 2 operational days in a year, with 3 or 4 non operational days</li> <li>for Town Centre and maybe Industrial Environments - the new rule</li> </ul>	Reject, as there is demand for temporary activities across the rural areas of the district, including on private land. These are for a multitude of purposes, often involve nil or minimal adverse effects and many would otherwise not be a permitted activity and require resource consent.
OS38.7	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.13 Maximum Noise - Limits	Seek amendment	Amend the noise levels for 10pm to 7am to 20dBA and 40dBA max	Reject, as the justification for a reduction in the night-time noise limits to such a significant degree as proposed by the submitter, would have a substantial impact on existing and future rural industry and rural activities and be contrary to the intent for the rural environment.
OS38.8	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Seek amendment	Amend the noise levels for 10pm to 7am to 20dBA and 40dBA max	Reject, as the justification for a reduction in the night-time noise limits to such a significant degree as proposed by the submitter, would have a substantial impact on existing and future rural industry and rural activities and be contrary to the intent for the rural environment.
OS38.9	Terry	Palmer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.1 Vehicle movements	Seek amendment	Amend part (i) to read '30 equivalent vehicle movements per day for the allotment'	The 50 equivalent vehicle movements threshold within the standard aims to require a resource consent process to manage effects for land use activities that involve significant amounts of traffic generation within the rural environment, but not to capture 'regular' rural productive activities unnecessarily. The threshold was adjusted from the draft plan change based on feedback received from rural users and stakeholders, and analysis of other district plan provisions on the same matter.
OS39.1	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Infrastructure definition. Addition of ' <u>.....(m) district or regional resource recovery and waste disposal facilities.</u> '	Reject, as whilst there is merit to the broadening of the definition of 'infrastructure' as sought by the submitter, this is a district-wide definition in the Operative District Plan that is not being amended by Plan Change 42. Accepting the submitter's point would have a statutory effect beyond the district's Rural Environment, and is better resolved through the future transition to the national planning standards format.
OS39.10	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Add to Objective 3b.2.4 - Maori cultural activities, tourism activities, visitor accommodation and renewable electricity generation and transmission activities are enabled in the General Rural Environment <u>where compatible with existing and planned character.</u>	Accept in part, but with no amendment recommended as this objective needs to be considered in the context of the other objectives for the General Rural Environment, which already have a focus on maintaining established rural character and also avoidance of reverse sensitivity effects. A further amendment is not considered necessary.
OS39.11	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS39.12	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	<u>Add to Objective 3b.2.6</u> - The impacts on infrastructure (including waste facilities) arising from subdivision and development are managed <u>and where necessary avoided</u> .	Accept in part, insofar as the objective has been reworded in response to other submissions from Genesis Energy which in part address the submitter's points.
OS39.13	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Avoid the cumulative effects of rural lifestyle development by <u>limiting-restricting</u> residential units that: a) Increase the demand for community infrastructure and services b) Result in the inefficient use of land or loss of future flexibility for productive uses c) Erode the general rural character through its density, scale and location.	Accept, as the submitter's wording is stronger and provides an enhanced meaning, and better reflects the intent of the policy.
OS39.14	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Support	Retain.	Accept submission point in full.
OS39.15	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	<u>Add</u> - Limit the scale of commercial and industrial activity (unless necessary for regional or national infrastructure) and avoid the uptake of general rural land...	Reject. The submitter operates clean fill and managed fill activities which are considered to fall within the definition of 'rural industry' given the wording about requiring "a locational need to be within the General Rural Environment (rather than an urban environment)", and therefore not 'commercial and industrial activity' covered by this policy. The amendment sought is not favoured as the phrase would have an unclear meaning.
OS39.16	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	New Objective for quarries, cleanfills and managed fills: <u>Restrict quarries, cleanfills and managed fills so that they should not adversely affect or inhibit the use of surrounding land for productive purposes or for carrying out permitted or consented activities; and their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.</u>	Reject, as an additional objective specifically for quarries, cleanfills and managed fills is not considered necessary as these activities would fall within the broad definition of 'rural industry' given they cannot operate within an urban environment.
OS39.17	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Support	Retain.	Accept submission point in full.
OS39.18	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Support	Retain.	Accept submission point in full.
OS39.19	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.4 Maximum density of residential units	Support	Properties within 1.5km of the Taupo landfill where a buffer should apply and density should be controlled.	Accept submission point in full.
OS39.20	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS39.21	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Any subdivision within 1.5km of the landfill needs to be a discretionary activity.	Reject. There is no controlled subdivision within 1.5km from the landfill.
OS39.22	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.6 Subdivision - Other	Seek amendment	New rule: <u>Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located with Area Z on Planning Map ? is a discretionary activity</u>	Reject. Geothermal Rule 4e.15.1 within the ODPs District Wide Section makes any additional residential or subdivision a discretionary activity. Also Rule 4b.5.6 iv) and v) provides controls on subdivision in area X and Y, which the landfill sits within.
OS39.23	Kaaren	Rosser		EnviroWaste Services Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Oppose	Delete provision.	Reject. The proposed rule excludes the creation of bonus lots within Area X and Area Y in Planning Map D3. These areas include the Taupō Landfill and an area of land greater than 1.5km from the landfill. On this basis bonus lots are not able to be created in proximity to the landfill.
OS40.2	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Support the provision for papakainga development within the Taupo District.	Accept submission point in full.
OS40.12	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Support	Retain.	Accept submission point in full.
OS40.13	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain.	Accept submission point in full.
OS40.14	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.8 Tangata Whenua	Support	Retain.	Accept submission point in full.
OS40.15	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.16 Papakainga	Support	Retain.	Accept submission point in full.
OS40.16	Sean	te Heuheu		Tuwharetoa Settlement Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.6 Papakainga	Support	Amend as follows: i.... ii. Papakainga on Maori customary land and Maori freehold land which does not comply with one or more performance standard in 4b.2 is a <del>Restricted Discretionary</del> <u>Controlled</u> activity iii. Papakainga on general land owned by Maori is a <del>Restricted Discretionary</del> <u>Controlled</u> activity iv. Applications under Rules 4b.1.6 ii or iii will not be notified. When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its <del>discretion</del> <u>control</u> to the following matters: ...	Reject. Controlled Activities do not allow Council to decline an inappropriate papakainga development. As noted in the Section 32 document, this is considered to be important as those activities which do not comply with all of the performance standards in 4b.2 have the potential to affect the effective functioning of the wider environment. In addition, Papakainga is able to be applied for on general land owned by Māori. There is an identified opportunity for abuse of this rule which would not achieve outcomes consistent with the cultural and social outcomes that the objectives have been established to achieve. On this basis the activity status is restricted discretionary and includes matters of discretion related to the long term tenure of the land with requirements to ensure that it remains in Māori ownership. Controlled activity status would not provide the same level of protection against abuse of the rule.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS41.14	John	Lenihan		Rangatira Block Trusts	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	Amend wording to incorporate this reasoning.	Accept in part, as the submitter's point is acknowledged, given that the Rural Environment within the district is the non-urbanised parts of the district. It is not the place of the district plan explanation for Rural Environments to describe this however.
OS41.15	John	Lenihan		Rangatira Block Trusts	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend to reject the all the sites identified in the maps for re-zoning and rezone the Rangatira blocks.	Reject. The proposed rural lifestyle areas are already rural lifestyle in character. Council is working with Rangatira E Trust on the future of the Rangatira E block. As discussed this will likely involve a structure plan process given the strategic importance of this block.
OS41.16	John	Lenihan		Rangatira Block Trusts	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Remove item (e) from the objective.	Reject, as the phrase 'infrequent vehicle movements' is intended as a relative term to urban retail and commercial land uses such as a supermarket or drive-through restaurant, and is 'infrequent' in the sense of measured across a seven day week and a 24 hour day, which is considered to characterise the vast majority of rural land uses. Rural land uses that exceed the vehicle movements threshold in the performance standard will require resource consent and be considered against the objectives and policies.
OS41.17	John	Lenihan		Rangatira Block Trusts	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amend wording for clarity and co-ordination of standards.	Accept in part, as the submission point is broad given it covers both policy and rule provisions, but the words "excluding rural industry" have been added in response to other submissions for clarity. Performance standards are still necessary to manage the scale of an activity, as otherwise limitless size of buildings and scale of activity would result with unintended consequences.
OS42.1	Catriona	Eagles		Ian Britten	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend to Include 40 and 41 Hepina Heights (being Lot 1 DP 421722 and Lot 25 DPS 88315) to be included in the Rural Lifestyle Zone.	Reject. These blocks are 58Ha and 37 Ha respectively and not currently rural lifestyle blocks.
OS42.2	Catriona	Eagles		Ian Britten	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend to Include 40 and 41 Hepina Heights (being Lot 1 DP 421722 and Lot 25 DPS 88315) to be included in the Rural Lifestyle Zone. There are no other constraints and infrastructure is available.	Reject. These blocks are 58Ha and 37 Ha respectively and not currently rural lifestyle blocks.
OS43.1	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Add a specific planning precinct over 271 and 281 Spa Road for Tourism Activities, including visitor accommodation, as provided for by the National Planning Standards.	Reject, as it is not within the scope of Plan Change 42 to introduce a tourism activity precinct for this specific site, but the submitter is invited to engage with Council as it prepares the national planning standards format of the district plan in 2024.
OS43.2	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Support	Retain as notified.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS43.3	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Amend the policies to include policy(s) that support tourism activities and visitor accommodation within the Rural Environment.	Accept in part, as the submitter's point is partially concurred with for 'visitor accommodation' and 'tourism activities' in particular, as they form part of the established character of the rural environment. See also the response to the submission point below.
OS43.4	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Amend Policy 3b.2.9 Maintaining the established character as follows: a) Large open spaces between built structures b) A mix of residential, accommodation, tourism activity and rural industry buildings c) Noises related to production activities during the day but low noise levels at night d) Low levels of light spill e) Infrequent vehicle movements to and from a site f) Limited signage that directly relates to the activity operating on the site	Accept in part with the amendment to clause b), partially in response also to submission point OS43.3 which seeks greater recognition of tourism activities and visitor accommodation, particularly given the enabling focus of Objective 3b.2.4. The amendment to clause b) of the provision seeks to acknowledge the importance of visitor accommodation and tourism activity to the local economy. The amendments to e) and f) are not favoured however, there are amendments arising from other submissions.
OS43.5	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Seek amendment	Amend or add rules that enable tourism activities and visitor accommodation in line with Objective 3b.2.4	Accept in part, as whilst visitor accommodation and tourism activities are generally being enabled within the rural environment, they are sensitive land uses that can generate reverse sensitivity effects on nearby rural industry, renewable electricity generation and other rural productive activities, and therefore the rule regime is still requiring resource consent in many instances. Any such consenting processes however will have the benefit of a supportive framework of objectives.
OS43.6	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Amend performance standard to add exemption for tourism activities	Reject, as the performance standard 4b.2.1 has been formulated as the primary means of managing traffic effects (both on the capacity of the network and traffic safety at site entrances and elsewhere) and the scale of non-productive rural land use activities in the Rural Environment. Failure to comply with the standard for tourism activities will require a resource consent process, as is intended if the scale of the activity exceeds the threshold within the standard. The purpose of the standard is not solely to manage heavy vehicle movements as asserted by the submitter, given the standard gives effect to the wider suite of objectives and policies, and not just 3b.2.11.
OS43.7	Kirsteen	McDonald		Sikka & Aggarwal Investment Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Seek amendment	Amend performance standard to provide an exemption for tourism activities regarding size of signage or provide for larger sign for tourism activities. Allow for illumination of signage for tourism activities to a maximum level of LUX (lumens per square meter)	Reject, inclusion of a signage exemption for tourism activities is not an appropriate outcome, either in terms of size or illumination. Tourism activities locating in the rural environment of the district do need to recognise the rural nature of the location, the absence of any urban infrastructure, and the presence of rural industry and 'industrial' activities such as quarries and renewable electricity generation. Maintaining the established rural character of the environment is also important.
OS44.1	Kirsteen	McDonald		VCard Solutions Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the proposed Rural Lifestyle map to include the property at 82 Tukairangi Road.	Reject. This block was excluded as it sits within the current restricted geothermal residential rule.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS46.3	Chris	Marshall	Tukairangi Trust		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Encourage harvesting of rain water from roofs to reduce water take from bores and Council supply. New developments adjacent to PCAs should require buffer areas to be retired or vested to the reserve for access for essential environmental and other work.	Accept in part, insofar as broadly the points being made have merit but no amendment in response is proposed. The submitter should note that there are no Council water supplies to the rural environment with water being obtained from rainwater or from bores only. The smallest lots being provided for in the provisions are two hectares and these remain 'rural' in character and enable protection of biodiversity and other important values.
OS46.16	Chris	Marshall	Tukairangi Trust		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.7 Subdivision - Outstanding Landscape Areas	Seek amendment	i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a non-complying activity.	Noted. No amendment suggested in submission. The non-complying activity status reflects the policy frameworks discouragement of OLAs being subdivided.
OS46.17	Chris	Marshall	Tukairangi Trust		Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Remove 3/864 Tukairangi Road the adjoining properties from rural lifestyle.	Reject. 3/864 is not proposed as rural lifestyle.
OS47.2	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Support	Retain.	Accept submission point in full.
OS47.3	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain	Accept submission point in full.
OS47.4	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Support	Retain.	Accept submission point in full.
OS47.5	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain	Accept submission point in full.
OS47.6	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.8 Tangata Whenua	Support	Retain.	Accept submission point in full.
OS47.7	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Support	Retain	Accept submission point in full.
OS47.8	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS47.9	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.16 Papakainga	Support	Retain.	Accept submission point in full.
OS47.10	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.17 Maori Cultural Activities	Support	Retain	Accept submission point in full.
OS47.11	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Support	Retain.	Accept submission point in full.
OS47.12	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.6 Papakainga	Support	Retain.	Accept submission point in full.
OS47.13	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Oppose	WMI submit that retail activities restriction be lifted to 300m2 indoor and outdoor.	Accept in part, in terms of concurring with the points the submitter is making about the important role of these non-rural activities for social connectedness. The proposed provisions for activities with a scale greater than 100 sq metres remains only a restricted discretionary activity subject to a set of matters of discretion, and with a set of objectives that are broadly supportive.
OS47.14	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Oppose	Delete this rule or limit to heavy vehicles only, not all vehicle movements.	Reject, as the threshold within the standard of 200 equivalent vehicle movements per day per allotment is fairly permissive, with relatively few land use activities likely to exceed that threshold. If a rural land use activity does exceed the threshold then likely there are effects on the transport network and/or traffic safety at site entrances, and Council intends that a resource consent process should be necessary. The submitter's concern about PIM processes on each building consent are considered over-stated.
OS47.15	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Seek amendment	Retain the policy, delete the rule.	Reject, for the reasons given for 47.14, and that a policy without the means of implementation is not effective.
OS47.16	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.2 Maximum building coverage	Support	Retain proposed rule.	Accept submission point in full.
OS47.17	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.3 Maximum building size	Support	Retain proposed rule.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS47.18	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.4 Maximum density of primary residential units	Support	Retain proposed rule.	Accept submission point in full.
OS47.19	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend proposed rule 4b.2.6 with (i) 30 metre setback for dwellings and minor residential units <u>and other buildings</u> from the front boundary. (ii) 15 metres <u>setback for dwellings, and minor residential units and other buildings</u> from all other boundaries.	Accept, as the amendments proposed by the submitter are supported as provide greater clarity and better achieve the intent of PC42.
OS47.20	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Oppose	Either a.delete the rule or b. provide an exemption for buildings of 200m2 in the definition , and provide an exemption such buildings located along side existing buildings or c. reduce the distance to 30m from all other boundaries, or d. (i) reduce the distance to 30m from all other boundaries adjoining General Rural and (ii) 50m from boundaries adjoining Rural Lifestyle	Accept in part. For clarity, the following exemption to be included for 'buildings for the management of farmed animals':  <u>NOTE: Buildings with a floor area of 50m2 or less are exempt from this definition</u>
OS47.21	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Support	Retain.	Accept submission point in full.
OS47.22	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amendment sought is either to delete this rule or increase the area to 300m2. Additionally Rural Industry should be exempt from limitation for retail.	Reject, as a failure to comply with this standard results in a restricted discretionary activity only subject to a set of matters of discretion. This is not considered unnecessarily restrictive nor contrary to the objectives and policies. A small-scale retail activity intrinsically related to a rural industry activity is anticipated and provided for, including if greater than 100sq metres if rural industry is the predominant activity.
OS47.23	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Support	It is understood that the matter of residential zoning will be addressed in the upcoming Residential Plan Change to the District Plan	The submitter is correct, that residential zoning will be addressed in an upcoming plan change for the Residential Environment.
OS47.24	Catriona	Eagles		Wairarapa Moana Incorporation Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Either a.delete the rule and associated definition or b. provide an exemption for buildings of 200m2 in the definition ie except buildings less than 200m2 , and provide an exemption such buildings located along side existing buildings ie except those buildings as defined located adjoining existing farm buildings of similar use or c. reduce the distance to 30m from all other boundaries	Accept in part, insofar as within the corresponding setback rule there is a recommended exemption for small buildings. The submitter's point is around cost for larger buildings such as milking sheds though which will not be covered by this exemption, but nor can be remedied effectively within the definition in the manner sought by the submitter.
OS49.1	John	Harpham			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Remove planned Rural Lifestyle zone.	Reject. Note that the proposed Rural lifestyle areas are already Rural Lifestyle in character. In addition, through other submissions amendments have been made based on the NPS-HPL.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS49.2	John	Harpham			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain.	Accept submission point in full.
OS49.3	John	Harpham			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.6 Subdivision - Other	Support	Retain.	Accept submission point in full.
OS50.1	Daniela	Shepherd		Sue Lake	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete White Road from rezoning and amend to area's closer to town, buffer between urban and rural, to avoid fragmentation	Reject. The submitter should refer to the Property Economics lifestyle demand assessment attached to the plan change section 32 report, as this details the supply and demand factors. White Road has been selected as an RLE location based largely on the existing pattern of land use that exists. The intent is not to encourage significantly more subdivision and development, but rather to provide for the current land use in an otherwise rural working environment.
OS50.2	Daniela	Shepherd		Sue Lake	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend the minimum property size to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and reduce pressure and fragmentation of the General Rural Environment.
OS50.3	Daniela	Shepherd		Sue Lake	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete as it will change the Character of the area	Reject. This objective is protecting the character of the Rural Lifestyle Environment from inappropriate subdivision and development.
OS50.4	Daniela	Shepherd		Sue Lake	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Delete as the productivity will be lost.	Reject. PC42 seeks to protect General Rural activities from reverse sensitivity effects so do not want to encourage non-rural businesses establishing within the zone.
OS50.5	Daniela	Shepherd		Sue Lake	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Remove White Road from the Rural Lifestyle area.	Reject, as the submitter misunderstands given that the intent is that the Rural Lifestyle Environment areas are entirely based around on-site services, apart from transport which will rely on the existing rural roading network and telecommunications which will be provided by network utility providers. No other infrastructure will be required.
OS51.1	Daniela	Shepherd		Kevin O'Toole	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete White Road from rezoning and amend to areas closer to town, buffer between urban and rural to avoid fragmentation.	Reject. The submitter should refer to the Property Economics lifestyle demand assessment attached to the plan change section 32 report, as this details the supply and demand factors. White Road has been selected as an RLE location based largely on the existing pattern of land use that exists. The intent is not to encourage significantly more subdivision and development, but rather to provide for the current land use in an otherwise rural working environment.
OS51.2	Daniela	Shepherd		Kevin O'Toole	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	Amend the minimum property size to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and reduce pressure and fragmentation of the General Rural Environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS51.3	Daniela	Shepherd		Kevin O'Toole	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete as it will change the character of the area.	Reject. This objective is protecting the character of the Rural Lifestyle Environment from inappropriate subdivision and development.
OS51.4	Daniela	Shepherd		Kevin O'Toole	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Delete as land productivity will be lost.	Reject. PC42 seeks to protect General Rural activities from reverse sensitivity effects so do not want to encourage non-rural businesses establishing within the zone.
OS51.5	Daniela	Shepherd		Kevin O'Toole	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Delete as land productivity will be lost.	Reject, as the intent is that Rural Lifestyle Environment locations are entirely reliant on on-site servicing, aside from transport which will rely on the existing rural roading network.
OS52.1	Rosemary	Peek			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	We strongly disagree with a council's planned Rural Lifestyle zone.	Reject. Note that the proposed Rural lifestyle areas are already Rural Lifestyle in character.
OS52.2	Rosemary	Peek			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain.	Accept submission point in full.
OS52.3	Rosemary	Peek			Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	Retain.	Accept submission point in full.
OS53.1	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1160 Mapara Road, Acacia Bay site, legal description is removed from the Rural Environment zone and zoned Rural Lifestyle Environment.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS53.2	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1160 Mapara Road.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS53.3	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Oppose	Delete the objective. Amend the objective to read: "Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> "	Reject, as the submitter assumes that a key purpose of the Rural Lifestyle Environment is to enable greater levels of rural residential development, whereas whilst some additional development is provided for, the primary purpose of the RLE is to recognise pockets of existing rural residential development in the district's rural areas, and to prevent such development occurring in the General Rural Environment.
OS53.4	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance from primary residence.	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS53.5	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.
OS53.6	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii That any subdivision below 10 hectares in the Rural Zone is Noncomplying. Discretionary Development 4- 10 hectares should be <b>retained</b> .	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.
OS53.7	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): <u>iii. Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity. Matters of discretion:</u> <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines.</u>	Accept in part, insofar as the submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process, rather than adding complexity to the subdivision rule framework.
OS53.7 cont	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u> <u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u> <u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u> <u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u> Amend the discretionary rule to read: ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment where the boundary of the lots is within 300m of the General Rural Environment boundary is a discretionary activity	Reject, as above.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS53.8	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Policy 3B.2.9 to Policy 3B.2.17 – Rural Environment Zone Add a policy which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use. For example: “Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity” or similar wording to address the reasons for the submission.	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district’s rural environment would not be consistent with the intent of Plan Change 42.
OS53.9	Burke	Carlton		CH GP Ltd Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Provisions relevant to the relief sought in this submission. Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.
OS54.1	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1160 Mapara Road is removed from the Rural Environment zone and zoned Rural Lifestyle Environment as per submission point below.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS54.2	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1160 Mapara Road.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS54.3	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete the objective. In the alternative, amend the objective to read: “Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> ”	Reject, as the submitter assumes that a key purpose of the Rural Lifestyle Environment is to enable greater levels of rural residential development, whereas whilst some additional development is provided for, the primary purpose of the RLE is to recognise pockets of existing rural residential development in the district’s rural areas, and to prevent such development occurring in the General Rural Environment.
OS54.4	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance from primary residence.	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.
OS54.5	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to ‘waste’ the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS54.6	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii That any subdivision below 10 hectares in the Rural Zone is Noncomplying. Discretionary Development 4- 10 hectares should be <b>retained</b> .	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.
OS54.7	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): <u>iii. Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity. Matters of discretion:</u> <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines.</u>	Accept in part, insofar as the submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process, rather than adding complexity to the subdivision rule framework.
OS54.7 cont	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u> <u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u> <u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u> <u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u> Amend the discretionary rule to read: ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment <u>where the boundary of the lots is within 300m of the General Rural Environment boundary is a discretionary activity</u>	As above.
OS54.8	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Policy 3B.2.9 to Policy 3B.2.17 – Rural Environment Zone Add a policy which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use. For example: "Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity" or similar wording to address the reasons for the submission.	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS54.9	Sally	Carlton		BACS GROUP TRUST	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Provisions relevant to the relief sought in this submission. Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS55.5	Rick	Keehan		Enterprise Great Lake Taupo trading as Amplify	Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	Retain	Accept submission point in full
OS56.1	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	We request that the definition is altered so that these activities include <u>existing activities in place at time of plan notification</u> .	Reject in so far as the definition for 'rural industry' has already been amended via other submissions to be consistent with national planning standards.
OS56.2	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend to include a definition of HVMS. To include a definition for Heavy Vehicle Movements as it appears this is different to a 'truck' or 'truck trailer' movement in the existing evm definition.	Reject, as the existing definition of 'equivalent vehicle movements' already defines how 'truck' and 'truck and trailer' are to be treated.
OS56.3	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	We seek alterations to wording that ensures the place of Existing Activities and their future operations in the General Rural Environment.	Reject. The Permapine Limited operation the submitter is referring to is considered to meet the definition of 'rural industry' given it is a forestry processing facility. No amendment to the definition of 'rural industry' is considered necessary however.
OS56.4	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain 'legally established activities within the General Rural Environment'.	Accept submission point in full.
OS56.5	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Oppose	Delete. We continue to ask you to delete the vehicle movements standard in the rural zone. If you will not remove this standard, we seek that you amend reference to this standard so that it only applies to new activities (not legally established activities that are already consented).	Reject, as the objective 3b.2.6 clearly relates to 'new' activities and will not be applied retrospectively. The vehicle movements standard is intended to apply to both 'new' land use activities in rural locations as well as existing activities that expand their activities (and therefore their effects including from vehicle movements on the transport network and/or traffic safety).
OS56.6	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	Amend as follows: <b>new</b> activities which are provided for in other Environments and may therefore impact on the land available for primary production activities within the General Rural Environment.	Reject, as the submitter's concern that an explicit set of statements is required within the rural provisions for 'existing' activities that might not meet the definition for 'rural industry' is considered unfounded. Existing use rights would apply, and if expanding and an activity not considered 'rural industry' then the consenting process should apply.
OS56.7	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS56.8	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	We seek amendment to the definition so that lawfully established industrial and business uses can continue to operate in the General Rural Environment.	Reject. The Permapine Limited operation the submitter is referring to is considered to meet the definition of 'rural industry' given it is a forestry processing facility. As with all 'rural industry' land use activities there is a locational need to be located within a rural area. No amendment to the definition of 'rural industry' is considered necessary however.
OS56.9	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain.	Accept submission point in full.
OS56.10	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	<u>New</u> development are managed instead of just all development.	Reject, as the objective is intended to apply to both 'new' and existing land use activities that are expanding. Existing use rights will apply for existing lawfully established land use activities.
OS56.11	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Amend to add <b>*except where the activity is lawfully established</b>	Reject, as the policy is intended to apply to both 'new' and existing land use activities that are expanding. Existing use rights will apply for existing lawfully established land use activities.
OS56.12	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Oppose	Delete: <del>Manage heavy vehicle movements to minimise damage to the transport network and adverse impacts on road safety.</del>	Reject, as the policy recognises that heavy vehicles are more likely to cause damage to the transport network and/or adverse impacts on road safety, due to their weight and length. This factual position is well established in government policy with road user charges and the wider national transport funding regime.
OS56.13	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Retain	Accept submission point in full.
OS56.14	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Seek amendment	Amend: Limit the scale of <u>new</u> commercial and industrial activity to avoid the uptake of general rural land by <u>new</u> activities that are provided for in other Environments...	Reject, as the policy will not be applied retrospectively but will be applied to existing activities that are expanding if performance standards are exceeded and a resource consent process ensues.
OS56.15	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS56.16	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Seek amendment	Amend to add a rule as follow for any infringement of rule 4b.2.1, if standard is not removed from the proposed plan. iii) Any infringement of the heavy vehicle movement standard is a Restricted Discretionary Activity and the matters of control are: a) Compliance of the existing access with the Taupo District Code of Practice for the development of land b) Compliance of the nearby roading infrastructure for use for heavy goods vehicles c) For existing lawfully established activities, if the existing vehicle movements exceed this standard, consent is needed under this standard only if significant increase in vehicle movements is proposed eg 20% or more increase in vehicle movements from existing (at time of plan change 42 adoption) averaged over a week (and averaged over the whole year). If the proposed development will increase the number of vehicle movements beyond the 20% increase, consent will be needed as a Restricted Discretionary Activity. d) Only when significant increase in existing vehicle movements are proposed (ie more than 20% increase in HVM from existing at time of adoption of plan change 42) and for new activities that do not comply with this standard, an Integrated Transport Management Plan or Traffic Impact Assessment will be needed to assess the proposed development.	Reject. Rule 4b.1.1 sets out that if not a permitted, controlled, restricted discretionary or other activity status then the default is to a discretionary activity, which is consistent with the structure of the district plan.
OS56.17	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Seek amendment	Amend as follows : <u>iii) Any failure of district plan performance standard is a Restricted Discretionary Activity</u>	Reject, as above.
OS56.18	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Support	Retain	Accept submission point in full.
OS56.19	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses.	Seek amendment	Submitter seeks that only changes above the consented baseline is considered therefore we request the following change: <u>*(f) the above matters as they relate to an activity above the consented baseline for the site where an activity is lawfully established.</u>	Accept in part. As above it is acknowledged that the Permapine Limited operation falls within the definition of 'rural industry'.
OS56.20	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Oppose	It is submitted that this performance standard should be deleted. It is noted that the operation at Permapine involves two titles ie an allocation of 400evm. This number of vehicle movements is not sufficient for the present operation on site.	Reject, as the existing Permapine Limited operation will have existing use rights, and any substantial expansion of the existing activity will be subject to compliance with performance standards and if necessary will require a resource consent to consider any effects from the additional scale.
OS56.21	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend as follows: <u>front yard setback other buildings 15m</u> <u>Other yard setback for other (non residential buildings not involving intensive farmed animals) buildings 10m</u>	Accept, with the provision having been amended in response to other submission points in a manner that remedies the matter identified this submission.
OS56.22	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Oppose	Amend as follows: <u>Exception: Industrial and rural industry activities that are lawfully established that exceed this standard.</u>	Reject, as the submitter's amendment simply duplicates the statutory effect of section 10 existing use rights within the RMA.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS56.23	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain.	Accept submission point in part, as the technical acoustic advice is recommending some amendments to noise provisions to enhance consistency of terminology used.
OS56.24	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Amend as follows: Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs....facilities <b>and including but excluding</b> sawmilling equipment <b>generally</b> (e.g. for milking, spraying, harvesting, packing, forest harvesting, <b>wood processing</b> and the like).	Reject, as exempting rural activities such as wood processing and rural industrial activities is not considered an appropriate outcome.
OS56.25	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Support	Retain.	Accept submission point in full.
OS56.26	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Support	Retain.	Accept submission point in full.
OS56.27	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Retain the proposed zoning of: General Rural - 33 White Road, 1624 and 1640 Broadlands Road, Rural Lifestyle - 67 White Road, 49 Riverlea Downs	Accept submission point in full.
OS56.28	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Section 32	Oppose	Submitter seeks to have Heavy Vehicle Movements rule removed from the plan change.	Reject, as it is widely accepted nationally that heavy vehicles have greater potential adverse effects on the environment (traffic safety, impacts on the transport network) due to their weight and length. This factual position is well established in government policy with road user charges and the wider national transport funding regime.
OS56.29	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Current Rural Chapters to be deleted	Oppose	Retain existing assessment criteria or amend assessment criteria and add vehicle movement assessment criteria.	Accept in part, as the assessment criteria is being revised in response to other submissions. The amendments sought by the submitter that a failure to comply with the vehicle movements standard should be restricted discretionary is not being accepted, hence there being no need to incorporate specific assessment criteria on vehicle movements.
OS56.30	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.2 Maximum building coverage	Support	Retain.	Accept submission point in full.
OS56.31	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.3 Maximum building size	Support	Retain.	Accept submission point in full.
OS56.32	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend the setbacks for non residential buildings reduced further.	Accept, with the provision having been amended in response to other submission points in a manner that remedies the matter identified this submission.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS56.33	Helen	Brosnan		Permapine Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.1 Vehicle movements	Oppose	Delete vehicle movements standard 4b.4.1.	Reject, as the submitter misunderstands the intent of the performance standard which is not about funding, but is about managing environmental effects from land use activities on the transport network (i.e. capacity) and traffic safety.
OS57.7	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend as follows: <b>Rural Industry</b> – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, <u>and</u> dairy farming <del>and geothermal/electricity generation</del> . Insert a new definition of Renewable Electricity Generation as follows (being the same definition in the NPS-REG): <b>Renewable electricity generation</b> means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.	Accept in part. The rural industry definition has been updated as per the national planning standards through other submission points so reject this submissions amendments.  However accept the inclusion of renewable electricity generation definition as it is consistent with the NPS-REG without having consequences elsewhere in the plan before it fully transitions to national planning standards format.
OS57.8	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Seek amendment	Amend as follows: <b>Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources</b> <u>Primary production and the use of natural resources are enabled by protecting the availability of the rural land and other resources and its their productive capability.</u>	Accept the amendments as proposed.
OS57.9	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Seek amendment	Amend as follows: <b>Objective 3b.2.2 Maintaining the established General Rural character</b> <del>The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided.</del> <u>Enable a range of activities in the General Rural Environment that are compatible with rural character.</u>	Reject. The purpose of the objective is about protecting the rural environment from subdivision thereby maintaining the established character as it is now i.e. not making it worse. The objective also achieves retaining rural productivity and therefore the proposed amendment does not add to the current wording.
OS57.10	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	Insert new objective as follows: <b>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</b> <u>Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.</u>	Reject. Renewable electricity related objectives and policies are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment.
OS57.11	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Amend as follows: Maori cultural activities, tourism activities, <u>and</u> visitor accommodation <del>and renewable electricity generation and transmission activities are enabled in appropriate locations</del> <u>within</u> the General Rural Environment.	Reject submission in full. 'Appropriate locations' is not clear and has potential to have a contested meaning. The current objective wording provides a clear list of current activities in rural locations. Council have controls in place to review visitor accommodation through restricted discretionary provisions.
OS57.12	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Seek amendment	Amend as follows: Reverse sensitivity effects on permitted, <del>and</del> legally established, <u>and/or consented</u> activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.	Accept, as "and/or consented" provides for consented activities that are not yet built.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.13	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	Amend as follows: The impacts on infrastructure arising from subdivision and development are managed do not compromise the safe and efficient functioning of infrastructure.	Accept proposed amendment as it strengthens the objective.
OS57.14	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Amend as follows: <b>Policy 3b.2.9 Maintaining the established Rural character</b> Enable activities in the <del>Maintain the established</del> General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: a) <u>Extensive pastoral farming and forestry</u> b) <u>Structures associated with Renewable Electricity generation Activities</u> c) <u>Geothermal areas and activities, electricity transmission and distribution</u> ad) Large open spaces between built structures be) A mix of residential and rural industry buildings c) <del>Noises related to production activities during the day but low levels of noise at night</del> d) <del>Low levels of light spill</del> f) <u>Effects from activities including noise, vibration, odour and visual effects</u> e) <del>Infrequent vehicle movements to and from a site</del> fg) Limited signage that directly relates to the activity operating on the site.	Reject. The proposed amendments are too specific when policy was aimed at being more broad, setting out general features of the rural environment not specific activities.  When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.
OS57.15	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Seek amendment	Amend as follows: Avoid the cumulative effects of rural lifestyle development by <u>providing for these activities within the Rural Lifestyle Environment and otherwise</u> limiting residential units <u>within the General Rural Environment</u> that: a) <u>Increase the demand for community infrastructure and services...</u> d) <u>Result in the potential to generate reverse sensitivity effects.</u> e) <u>Constrain the ability to access or utilise renewable energy resources.</u>	Accept in part. The additional wording has a sharper focus and strengthens what PC42 is trying to achieve through the policy.  However, reject the inclusion/amendments clauses d) and e). Clause d) is already provided for in the reverse sensitivity Policy 3b.2.13 and clause e) doesn't need to be provided across whole plan.
OS57.16	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Seek amendment	Amend as follows: Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised <u>and to avoid the potential for reverse sensitivity effects.</u>	Reject. There's a specific reverse sensitivity Policy 3b.2.13 that does not need to be duplicated.
OS57.17	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain as notified.	Accept submission point in full.
OS57.18	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete Objective 3b.3.1 and replace it with the following: <b>Objective 3b.3.1 Enable Rural Residential Activities</b> <u>Zone parts of the Rural Environment as Rural Lifestyle Environment to enable and provide for rural residential activities in appropriate locations where they will not give rise to reverse sensitivity effects on the surrounding General Rural Environment or Industrial Environments.</u>	Accept in part. The wording of the objective has been updated to replace the word "incremental" with the word "inappropriate" as this allows for Rural Lifestyle subdivision but does not encourage residential zoning density. The word "enabling" implies the encouragement of development when PC42 are just wanting to keep rural development where it currently is.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.19	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Seek amendment	Amend as follows: Adverse reverse sensitivity effects, <del>including conflict with</del> on permitted, and legally established <u>and/or consented</u> activities in neighbouring Environments, are avoided.	Accept in part. Reject the suggested amendment on 'including conflict with' as this needs to be kept more general for Council to assess on case by case basis.  However accept the remainder of amendments as this provides for consented activities that are not yet built.
OS57.20	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Seek amendment	Amend as follows: <b>Objective 3b.2.6 Impacts on community infrastructure</b> The impacts <del>on community infrastructure</del> arising from subdivision and development are <del>managed</del> <u>do not compromise the safe and efficient functioning of infrastructure.</u>	Reject submission in full. Community infrastructure is a specific definition used from wider ODP and for reason as it specifies Council-operated infrastructure. This objective doesn't need to get broadened as wider infrastructure is protected for anyway.
OS57.21	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Amend as follows: ... <u>i) An environment that is surrounded by a working rural environment including rural production, geothermal areas and renewable electricity generation activities.</u>	Accept in part. Amendment accepted fully, with addition of "steamfields" added for clarification through submission point 84.30
OS57.22	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the General Rural Environment	Support	Retain as notified	Accept submission point in full.
OS57.23	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.12 Minor residential unit	Seek amendment	Amend as follows: Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, <del>and</del> to further protect the character of the <del>Rural Lifestyle Environment</del> <u>and to avoid reverse sensitivity effect.</u>	Reject. There is a specific reverse sensitivity Policy 3b.3.2 that does not need to be duplicated.
OS57.24	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain as notified	Accept submission point in full.
OS57.25	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Seek amendment	Amend as follows: ... When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters: ... f. The ability to <del>mitigate</del> <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, <del>and</del> alternative design, <u>and/or other means including restrictive covenants.</u> g.... <u>i. The potential to constrain access to and/or the utilisation of renewable energy sources.</u>	Accept in part. By adding in 'avoid' for reverse sensitivity effects, the meaning would become 'avoid' all types of adverse effects which is not the intention. Including the use of restrictive covenants is not considered necessary to define here. Accept the addition of clause i) as it enhances clarity.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.26	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Oppose	Retain as notified	Accept submission point in full.
OS57.27	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	<p>Amend as follows:</p> <p><b>4b.1.4 Electricity Generation Core Sites, Renewable <del>Electricity</del> Energy Generation Activities and Geothermal Areas Steamfields</b></p> <p>i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal <u>areas steamfield</u>, renewable <del>energy</del> <u>electricity</u> generation activities and associated structures <u>and ancillary activities</u> is a <b>permitted activity</b>.</p> <p>ii. <u>Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators are a permitted activity.</u></p> <p>NOTE: For the purpose of this rule "maintenance" means: All activities associated with the protective care, <del>and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to monitor, test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of</del> <u>all associated structures</u> and includes maintenance of surrounds and water areas.</p>	<p>Accept in part. To be consistent with Plan Change 38, replace 'energy' with 'electricity' as per proposed amendment.</p> <p>However reject the proposed deletion as these terms are specifically defined. Also reject the addition of "and ancillary activities" and clause ii) as these are too wide and broad. When Council transition the ODP into national planning standards format there will be an Energy chapter where energy related ancillary activities will be provided for.</p>
OS57.27 cont	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	<p>NOTE: For the purpose of this rule "minor upgrading" means: <u>Structural improvement, repair and replacement or upgrade of components, or activities required for the continued safe and efficient operation including worn or technically deficient parts of any structure including the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated drilling, vehicles, infrastructure, machinery, testing, monitoring, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures up to 100m2 in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m2 in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.</u></p> <p>Manawa also seek the inclusion of their operations as Electricity Generation Core Sites at the following locations as depicted in Appendix A:</p> <ul style="list-style-type: none"> <li>•Wheao and Flaxy</li> <li>•Kuratau</li> <li>•Hinemaia</li> </ul>	<p>Accept in part. Accept proposed amendments apart from "any structure including" as this is too wide and broad, potentially allowing for activities it shouldn't.</p>
OS57.28	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Seek amendment	<p>Amend as follows:</p> <p><b>4b.1.7 Buildings and Structures in proximity to High voltage transmission lines</b></p> <p>i. Any building <u>or structure</u> (except network utilities <u>and Renewable Electricity Generation activities</u>) located within 0 – 12 meters of a high voltage transmission line is a restricted discretionary activity.</p>	<p>Reject. Structures are covered within the definition of building and the term "renewable electricity generation activities" is too broad.</p>

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.29	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Seek amendment	Amend as follows: EXCEPTION: This rule will not apply to Earthworks <u>associated with existing and consented renewable electricity generation activities including</u> within Electricity Generation Core Sites Manawa also seek the inclusion of their operations as Electricity Generation Core Sites at the following locations as depicted in Appendix 1: •Wheao and Flaxy •Hinenaia •Kuratau	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.
OS57.30	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Amend as follows: ... EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations <u>or existing and consented renewable electricity generation activities.</u>	Reject, as expanding the exemption to also include 'renewable electricity generation activities' could apply widely across the district as it would not be geographically defined (unlike a phrase like 'renewable electricity core sites'. This would have the effect of creating a much wider exception than was intended and is not supported.
OS57.31	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Seek amendment	Amend as follows: ... iv . 15 meters for <u>renewable Electricity Generation activities</u> on land identified as a Geothermal Area in Section O <u>within an Electricity Generation Core Site.</u> EXCEPTIONS: - <u>activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts – no height limit</u> - Cranes being used as part of any construction or maintenance works for the duration of the works – no height limit. - Drilling Rigs for up to 60 days per well <del>allotment</del> – no height limit. Manawa also seek the inclusion of their operations as Electricity Generation Core Sites at the following locations as depicted in Appendix 1: •Wheao and Flaxy •Hinenaia •Kuratau	Accept in part. Accepting all amendments apart from the deletion of "with an electricity generation core site" as that phrase significantly widens the impact of the provision in a manner not intended by PC42.
OS57.32	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain as notified	Accept in part, insofar as the suite of noise rules have been amended with minor wording enhancements as recommended by Jon Styles technical acoustic advice.
OS57.33	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.10 Maximum Noise - Construction Noise	Support	Retain as notified	Accept in part, insofar as the suite of noise rules have been amended with minor wording enhancements as recommended by Jon Styles technical acoustic advice.
OS57.34	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.11 Maximum Noise - Electricity Generation Core Sites	Support	Retain as notified	Accept in part, insofar as the suite of noise rules have been amended with minor wording enhancements as recommended by Jon Styles technical acoustic advice.
OS57.35	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.12 Maximum Noise - Well Drilling and Testing	Support	Retain as notified	Accept in part, insofar as the suite of noise rules have been amended with minor wording enhancements as recommended by Jon Styles technical acoustic advice.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.36	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Amend as follows: ... ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, <u>bursting discs, emergency or upset operating conditions</u> and hydro spills associated with the operation of <u>Renewable Electricity Generation Activities Core sites</u> . Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.	Accept, with the amendments proposed by the submitter, as the additional wording is a useful amendment for clarity. The exception to this is to reject the amendment that widens the applicability of the rule to 'Renewable Electricity Generation Activities' rather than solely the 'core sites' as the statutory effect of that change would be significant.
OS57.37	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.14 Parking, Loading and Access	Oppose	Delete Rule 4b.2.14	Accept in part, as whilst the submitter is correct that NPS-UD resulted in minimum car parking requirements being removed from district plans, that district plans still typically contain requirements regarding loading spaces, spaces for disabled persons and minimum dimensions for any parking spaces that are provided. Retaining 4b.2.14 which is a cross-reference only is not considered contrary to the NPS-UD requirements.
OS57.38	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Support	Retain as notified	Accept submission point in full.
OS57.39	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend as follows: <b>For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:</b> a) ... i) <u>Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.</u>	Accept, as the additional assessment matter provides a useful addition for consideration of subdivision applications within the General Rural Environment.
OS57.40	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend as follows: <b>For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:</b> a) ... i) <u>Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.</u>	Accept, as the additional assessment matter provides a useful addition for consideration of subdivision applications within the General Rural Environment.
OS57.41	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Seek amendment	Amend as follows: Any <del>adverse effects generated by an</del> <u>new sensitive activity</u> must be managed <del>within the allotments</del> so as to avoid <del>adversely affecting reverse sensitivity effects</del> <u>on permitted, and lawfully established and/or consented neighbouring activities.</u>	Accept in part. Accept "and/or consented" only as this provides for consented activities not yet built.  However, reject the suggested amendments on 'sensitive activities' as this needs to be kept more general for Council to assess on case by case basis.
OS57.42	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Seek amendment	Amend as follows: Limit the scale of commercial and industrial activity ( <u>excluding renewable electricity generation activities</u> ) to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production <u>and other activities provided for</u> within the General Rural Environment.	Reject. This policy does not apply to renewable electricity generation activities as it is not covered in rural industry definition. When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS57.43	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Seek amendment	Amend as follows: ... ii. A commercial, industrial activity or home business which does not comply with the performance standards is a <b>restricted discretionary activity</b> . When considering activities under Rule 4b.1.5ii Council restricts the exercise of its discretion to the following matters: a. The daily vehicle movements expected to and from the allotment. b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects. c. The effect of the activity on surrounding land uses ( <u>including reverse sensitivity effects</u> ) and how these effects can be managed onsite and/or mitigated. ...	Accept amendments as proposed.
OS57.44	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Seek amendment	Amend as follows: ... EXCEPTION: This rule will not apply to the erection of structures: <u>a. Associated with existing renewable electricity generation activities including Wwithin Electricity Generation Core Sites.</u> ... Manawa also seek the inclusion of their operations as Electricity Generation Core Sites at the following locations as depicted in Appendix A: Wheao and Flaxy, Kuratau, Hinemaia.	Reject. This definition has not been previously accepted in other submissions as it has a much broader meaning within the proposed rule framework. Using this term in current framework would make provisions weaker i.e. permitted activities when they shouldn't. In addition, "renewable electricity generation activities" is not geographically defined so could cover larger areas than intended. When the district plan is transitioned to national planning standards a new Energy chapter will be created that can capture more specific provisions such as this.
OS57.45	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Insert a new definition as follows: <u>Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</u>	Reject. This definition has a much broader meaning within the proposed rule framework. Using this phrase in current framework would make provisions weaker i.e. permitted activities when they should not. When the district plan is transitioned to national planning standards there will be a standalone energy chapter that can capture such activities in a more specific rule framework.
OS57.46	James	Ryan		Manawa Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Insert a new definition for reverse sensitivity (being the definition in the Waikato RPS) as follows: <u>Reverse sensitivity is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Accept, with the insertion of the proposed definition of the phrase 'reverse sensitivity', as inclusion of the definition will enhance the operation of the district plan.
OS60.1	John	Olsen			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Zoning of property at 14 King Road Lot 31 DP565525 be amended from the proposed General Rural to Rural Lifestyle zoning.	Reject. This is a parent block of a cluster development with a consent notice that this block would remain as a single title.
OS60.2	John	Olsen			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Zoning of property at 898 Mapara Road Lot 1 DP541643 retained as the proposed Rural Lifestyle zoning.	Accept. This property is already proposed to be RLE as part of PC42.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS61.10	Kirsteen	McDonald		McKenzie & Co	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend Rural Lifestyle Planning Map to include the additional properties identified on the attached plans titled 'Proposed Extension to Lifestyle Zoning' drawing no. 3267-1000 and 3267-1001. The additional areas proposed include blocks on Kaiapo Road, Tukairangi Road, Mapara Road, Poihipi Road, Whangamata Road, Tuhingamata Road, Oruanui Road, State Highway 1, State Highway 5 and Palmer Mill Road. <b>View full submission for map.</b>	Accept in part. Most properties proposed for inclusion by the submitter do not meet the criteria as they are too big, unsuitably located relative to other RLE locations, not currently rural lifestyle in character, located in Area X or Y, or located with frontage to a state highway. Accept for property 254 Orunau Road as adjacent to an RLE location, and suitable in terms of size and land use.
OS63.7	Debs	Morrison			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete Palmer Mill Road from The Rural Lifestyle Environment and add back to the General Rural environment. Choose areas closer to town for rural lifestyle environment to avoid fragmentation and risk of increasing the quantity of unproductive land.	Reject. Note that the proposed Rural lifestyle areas are already Rural Lifestyle in character. If areas closer to town were selected large blocks would be fragmented.
OS63.8	Debs	Morrison			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	Amend minimum property size to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and reduce pressure and fragmentation of the General Rural Environment.
OS63.9	Debs	Morrison			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete as it will change the character of the area.	Reject. This objective is protecting the character of the Rural Lifestyle Environment from inappropriate subdivision and development.
OS63.10	Debs	Morrison			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Delete as land productivity will be lost.	Reject. PC42 seeks to protect General Rural activities from reverse sensitivity effects so does not want to encourage non-rural businesses establishing within the zone.
OS63.11	Debs	Morrison			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Delete Palmer Mill Road from Rural Lifestyle environment.	Reject, as roading is the community infrastructure serving the Palmer Mill Road locality. Deletion of the Palmer Mill Road Rural Lifestyle Environment is not a justified response to the submission point.
OS64.1	Ian	JENSEN			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Establishment of a Rural Lifestyle Environment for the Bonshaw Park area.	Accept. Bonshaw Park area is proposed as Rural Lifestyle Environment.
OS64.2	Ian	JENSEN			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend as follows: Subdivision resulting in lots that are smaller than 2 hectares that do not adjoin the General Rural Environment is a restricted discretionary activity. The Council restricts the exercise of its discretion to the following matters: Any adverse effect on the functioning of the adjacent rural environment.	Reject. Two hectares is the smallest size block to maintain some limited productive use and rural amenity. Below this size it essentially becomes a "residential" size which then places pressure on the Council for urban services/ infrastructure.
OS65.6	Richard	Thompson			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete Palmer Mill Road from The Rural Lifestyle Environment and add back to the General Rural environment. Choose areas closer to town for rural lifestyle environment to avoid fragmentation and risk of increasing the quantity of unproductive land.	Reject. Note that the proposed Rural lifestyle areas are already Rural Lifestyle in character. If areas closer to town were selected large blocks would be fragmented.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS65.7	Richard	Thompson			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	Amend minimum property size to 4 hectares to minimise impact.	Reject. Additional subdivision has been allowed for within the Rural Lifestyle areas to meet demand for this type of living and reduce pressure and fragmentation of the General Rural Environment.
OS65.8	Richard	Thompson			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Oppose	Delete as it will change the character of the area.	Reject. This objective is protecting the character of the Rural Lifestyle Environment from inappropriate subdivision and development.
OS65.9	Richard	Thompson			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Oppose	Delete as land productivity will be lost.	Reject. It is important to protect General Rural activities from reverse sensitivity effects so do not want to encourage non-rural businesses establishing within the zone.
OS65.10	Richard	Thompson			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Delete Palmer Mill Road from Rural Lifestyle.	Reject, as roading is the community infrastructure serving the Palmer Mill Road locality. Deletion of the Palmer Mill Road Rural Lifestyle Environment is not a justified response to the submission point.
OS66.5	Michelle	Phillips		Ngati Tahu-Ngati Whaoa Runanga Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Support	Retain	Accept submission point in full.
OS66.6	Michelle	Phillips		Ngati Tahu-Ngati Whaoa Runanga Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Support	Retain	Accept submission point in full.
OS66.7	Michelle	Phillips		Ngati Tahu-Ngati Whaoa Runanga Trust	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Support	Retain	Accept submission point in full.
OS68.12	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend the definition of <b>Rural Industry</b> as follows. <b>Rural Industry</b> – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, <u>and</u> dairy farming <del>and geothermal/electricity generation.</del>	Reject. Other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.13	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition for Renewable Electricity Generation activities as follows. <u>Renewable Electricity Generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</u>	Reject. This definition has a much broader meaning within the proposed rule framework. Using this phrase in the current framework would make provisions weaker i.e. permitted activities when they should not. When the district plan is transitioned to national planning standards there will be a standalone energy chapter that can capture such activities in a more specific rule framework.
OS68.14	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	Amend the Introduction to Chapter 3b.1 as follows: ... <b>General Rural Environment</b> ...Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy <u>sources</u> and plantation forestry activities, with dispersed buildings and rural roads... The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land <u>and other natural resources</u> within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for, <del>yet</del> allowing appropriate development to occur while preserving the rural character of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, <u>renewable electricity generation activities</u> , and rural industry, <del>meaning an activity being activities</del> that directly supports, services, or is are dependent on primary production <u>and/or</u> <del>has</del> a locational or <u>functional</u> need to be within the General Rural Environment (rather than an urban environment).	Accept suggested amendments.
OS68.14 cont	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<del>Primary production a</del> Activities in the General Rural Environment will produce effects that are different from urban areas,... The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production <u>and/or</u> have a <u>locational functional or operational</u> need to be within the General Rural Environment.... <b>Rural Lifestyle Environment</b> ... By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production <u>and other</u> activities <del>predominating</del> in the General Rural Environment. ... By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the <del>open space characteristics</del> <u>rural character</u> and <del>the</del> productive potential of the rest of the Rural Environment, and to reduce the potential for land use conflict. ...The Rural Lifestyle Environment areas are located <del>else</del> <u>in proximity</u> to urban areas to allow for access to community facilities within the district's townships.	Accept suggested amendments.
OS68.15	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Seek amendment	Retain Objective 3b.2.1 with amendments. <b>Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources</b> Primary production <u>and the use of natural resources</u> are enabled by protecting the availability of the rural land <u>and other</u> resources and <del>its</del> <u>their</u> productive capability.	Accept the amendments as proposed.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.16	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Oppose	Amend Objective 3b.2.2 to read: <b>Objective 3b.2.2 Maintaining the established General Rural character</b> <del>The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided.</del> <u>Enable a range of activities in the General Rural Environment that are compatible with rural character.</u>	Reject. The purpose of the objective is about protecting the rural environment from subdivision thereby maintaining the established character as it is now i.e. not making it worse. The objective also achieves retaining rural productivity and therefore the proposed amendment does not add to the current wording.
OS68.17	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	Retain Objective 3b.2.3. Insert a new objective following Objective 3b.2.3 as follows: <b>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</b> <u>Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.</u>	Reject. Renewable electricity related objectives and policies are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment.
OS68.18	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Provided that new Objective 3b.2.X is added as requested above, amend Objective 3b.2.4 as follows: <b>Objective 3b.2.4 Other activities</b> <del>Maori cultural activities, tourism activities, and visitor accommodation and renewable electricity generation and transmission activities are enabled in appropriate locations within the General Rural Environment.</del>	Reject submission in full. 'Appropriate locations' is not clear and has potential to have a contested meaning. The current objective wording provides a clear list of current activities in rural locations. Council has controls in place to review visitor accommodation through restricted discretionary provisions.
OS68.19	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Seek amendment	Amend Objective 3b.2.5 as follows: <b>Objective 3b.2.5 Avoidance of reverse sensitivity</b> <del>Reverse sensitivity effects on permitted, and legally established, and/or consented activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.</del>	Accept, as "and/or consented" provides for consented activities that are not yet built.
OS68.20	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Oppose	Amend Objective 3b.2.6 as follows: <b>Objective 3b.2.6 Impacts on infrastructure</b> <del>The impacts on infrastructure arising from subdivision and development are managed do not compromise the safe and efficient functioning of infrastructure.</del>	Accept proposed amendment as it strengthens the objective.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.21	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Amend Policy 3b.2.9 as follows: <b>Policy 3b.2.9 Maintaining the established Rural character</b> Enable activities in the <del>Maintain the established</del> General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: a) <u>Extensive pastoral farming and forestry</u> b) <u>Renewable Electricity Generation Activities</u> c) <u>Geothermal areas and activities, electricity transmission and distribution</u> ad) Large open spaces between built structures be) A mix of residential and rural industry buildings e) <del>Noises related to production activities during the day but low levels of noise at night</del> d) <del>Low levels of light spill</del> f) <u>Effects from activities including noise, vibration, dust, odour and visual effects</u> eg) <del>Infrequent vehicle movements to and from a site</del> fh) Limited signage that directly relates to the activity operating on the site.	Reject. The proposed amendments are too specific when policy was aimed at being more broad, setting out general features of the rural environment not specific activities.  When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can provided. The General Rural Environment is not the appropriate place to include this.
OS68.22	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Seek amendment	Amend Policy 3b.2.10 as follows: <b>Policy 3b.2.10 Residential units</b> Avoid the cumulative effects of rural lifestyle development by <u>providing for these activities within the Rural Lifestyle Environment and otherwise</u> limiting residential units <u>within the General Rural Environment</u> that: a) Increase the demand for community infrastructure and services b) Result in the inefficient use of land or loss of future flexibility for productive uses c) Erode the general rural character through its density, scale and location- d) <u>Result in the potential to generate reverse sensitivity effects.</u> e) <u>Constrain the ability to access or utilise renewable energy resources.</u>	Accept in part. The additional wording has a sharper focus and strengthens what PC42 are trying to achieve through the policy.  However, reject the inclusion/amendments clauses d) and e). Clause d) is already provided for in the reverse sensitivity Policy 3b.2.13 and clause e) doesn't need to be provided across whole plan.
OS68.23	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Seek amendment	Amend Policy 3b.2.12 as follows: <b>Policy 3b.2.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised <u>and to avoid the potential for reverse sensitivity effects</u>	Reject. There's a specific reverse sensitivity Policy 3b.2.13 that does not need to be duplicated.
OS68.24	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Seek amendment	Amend Policy 3b.2.13 as follows: <b>Policy 3b.2.13 Avoiding reverse sensitivity</b> Any <del>adverse effects generated by an new</del> sensitive activity must be located and managed <del>within the allotment</del> so as to avoid <del>adversely affecting reverse sensitivity effects on</del> permitted, and lawfully established <u>and/or consented</u> neighbouring activities.	Accept in part. Accept "and/or consented" only as this provides for consented activities not yet built.  However, reject the suggested amendments on 'sensitive activities' as this needs to be kept more general for Council to assess on case by case basis.
OS68.25	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Seek amendment	Amend Policy 3b.2.14 as follows: <b>Policy 3b.2.14 Commercial and industrial activity</b> Limit the scale of commercial and industrial activity <u>(excluding renewable electricity generation activities)</u> to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production <u>and other activities provided for</u> within the General Rural Environment.	Reject. This policy does not apply to renewable electricity generation activities as it is not covered in rural industry definition. When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can provided. The General Rural Environment is not the appropriate place to include this.
OS68.26	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain Policy 3b.2.15.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.27	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete Objective 3b.3.1 and replace it with the following: <b>Objective 3b.3.1 Enable Rural Residential Activities</b> <u>Zone parts of the Rural Environment as Rural Lifestyle Environment to enable and provide for rural residential activities in appropriate locations where they will not give rise to reverse sensitivity effects on the surrounding General Rural Environment or Industrial Environments.</u>	Accept in part. The wording of the objective has been updated to replace the word "incremental" with the word "inappropriate" as this allows for Rural Lifestyle subdivision but does not encourage residential zoning density. The word "enabling" implies the encouragement of development when the objective is to keep rural development where it currently is.
OS68.28	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Seek amendment	Amend Objective 3b.3.2 as follows: <b>Objective 3b.3.2 Avoid reverse sensitivity</b> Adverse reverse sensitivity effects, <del>including conflict with</del> on permitted, and legally established and/or consented activities in neighbouring Environments, are avoided.	Accept in part. Reject the suggested amendment on 'including conflict with' as this needs to be kept more general for Council to assess on case by case basis. Accept the remainder of amendments as this provides for consented activities that are not yet built.
OS68.29	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend Objective 3b.3.3 as follows: <b>Objective 3b.3.3 Commercial and industrial activities</b> The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the <u>Rural Lifestyle Environment</u> are avoided.	Accept amendment as proposed.
OS68.30	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.4 Consolidate rural lifestyle activities	Seek amendment	Retain Objective 3b.3.4.	Accept submission point in full.
OS68.31	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Seek amendment	Amend Objective 3b.3.6 as follows: <b>Objective 3b.2.6 Impacts on community infrastructure</b> The impacts <del>on community infrastructure</del> arising from subdivision and development are <del>managed</del> do not compromise the safe and efficient functioning of infrastructure.	Reject submission in full. Community infrastructure is a specific definition used from wider ODP and for reason as it specifies Council-operated infrastructure. This objective does not need to get broadened as wider infrastructure is protected for anyway.
OS68.32	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Add a new point i) to Policy 3b.3.9 as follows: <u>i) An environment that is surrounded by a working rural environment including rural production, geothermal areas and renewable electricity generation activities.</u>	Accept in part. Amendment accepted fully, with addition of "steamfields" added for clarification through submission point 84.30

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.33	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the General Rural Environment	Support	Retain Policy 3b.3.10	Accept submission point in full.
OS68.34	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.12 Minor residential unit	Seek amendment	Amend Policy 3b.3.12 as follows: <b>Policy 3b.3.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to further protect the character of the Rural Lifestyle Environment- <u>and to avoid reverse sensitivity effects.</u>	Reject. There is a specific reverse sensitivity Policy 3b.3.2 that this would duplicate.
OS68.35	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain Rule 4b.1.1.	Accept submission point in full.
OS68.36	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Seek amendment	Add new matter of discretion as 4b.1.2(i) as follows: ... When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters: a.... f. The ability to <del>mitigate</del> <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, <del>and</del> alternative design, <u>and/or other means including restrictive covenants.</u> g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit. <u>i. The potential to constrain access to and/or the utilisation of renewable energy sources.</u>	Accept in part. By adding in 'avoid' for reverse sensitivity effects, the meaning would then become 'avoid' all types of adverse effects which is not the intention. Including the use of restrictive covenants is considered necessary to define here. Accept the addition of clause i) as useful clarification of the intent.
OS68.37	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Support	Retain Rule 4b.1.3.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.38	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	Retain Rule 4b.1.4, and amend it as follows, including new clause (ii). <b>4b.1.4 Electricity Generation Core Sites, Renewable <del>Electricity</del> Energy Generation Activities and Geothermal Areas Steamfields</b> i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas <del>steamfield</del> , renewable <del>energy</del> <u>electricity</u> generation activities and associated structures and ancillary activities is a <b>permitted activity</b> . ii) <u>Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators are a permitted activity.</u> NOTE: For the purpose of this rule “maintenance” means: All activities associated with the protective care, and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to <del>monitor</del> , test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of all associated structures and includes maintenance of surrounds and water areas.	Accept in part. To be consistent with Plan Change 38, replace 'energy' with 'electricity' as per proposed amendment.  However reject the proposed deletion as these terms are specifically defined. Also reject the addition of "and ancillary activities" and clause ii) as these are too wide and broad. When Council transition the ODP into national planning standards format there will be an Energy chapter where energy related ancillary activities will be provided for.
OS68.38 cont	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	NOTE: For the purpose of this rule “minor upgrading” means: Structural improvement, repair and replacement <u>or upgrade of components, or activities required for the continued safe and efficient operation including</u> worn or technically deficient parts of <u>any structure including</u> the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures <del>of similar character and scale</del> , and includes associated drilling, <del>vehicles, infrastructure, machinery</del> , testing, monitoring, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures. <del>up to 100m2 in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m2 in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.</del>	Accept in part. Accept proposed amendments apart from "any structure including" as this is considered too wide and broad, potentially allowing for activities it should not.
OS68.39	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Seek amendment	Amend Rule 4b.1.5 as follows:  i.... When considering activities under Rule 4b.1.5ii Council restricts the exercise of its discretion to the following matters: a. The daily vehicle movements expected to and from the allotment. b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects. c. The effect of the activity on surrounding land uses ( <u>including reverse sensitivity effects</u> ), and how these effects can be managed onsite and/or mitigated....	Accept amendments as proposed.
OS68.40	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Seek amendment	Amend Rule 4b.1.7. as follows: <b>4b.1.7 Buildings and Structures in proximity to High voltage transmission lines</b> i. Any building <u>or structure</u> (except network utilities <u>and Renewable Electricity Generation Activities</u> ) located within 0 – 12 meters of a high-voltage transmission line is a <b>restricted discretionary activity</b> .	Reject. Structures are covered within the definition of building and the term "renewable electricity generation activities" is too broad.
OS68.41	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Seek amendment	Retain Rule 4b.1.8 but amend the first exception to the rule as follows:  EXCEPTION: This rule will not apply to the erection of structures: a. <u>Associated with existing renewable electricity generation activities including</u> <del>W</del> within Electricity Generation Core Sites. b. ...	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.42	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Seek amendment	Retain 4b.1.9 but amend the exception as follows: EXCEPTION: This rule will not apply to Earthworks <u>associated with existing and consented renewable electricity generation activities including</u> within Electricity Generation Core Sites	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.
OS68.43	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Retain 4b.2.1 but amend the exception as follows: EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations <u>or existing and consented renewable electricity generation activities.</u>	Reject, as expanding the exemption to also include 'renewable electricity generation activities' could apply widely across the district as it would not be geographically defined (unlike a phrase like 'renewable electricity core sites'). This would have the effect of creating a much wider exception than was intended and is not supported.
OS68.44	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Seek amendment	Amend Rule 4b.2.5 as follows: <b>4b.2.5 Maximum building height</b> i.... iv. 15 meters for <u>renewable Electricity Generation activities</u> on land identified as a Geothermal Area in Section O <u>within an Electricity Generation Core Site.</u>  EXCEPTIONS: · <u>Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts – no height limit</u> · Cranes being used as part of any construction or maintenance works for the duration of the works – no height limit. · Drilling Rigs for up to 60 days per well <del>allotment</del> – no height limit.	Accept in part. Accepting all amendments apart from the deletion of "with an electricity generation core site".
OS68.45	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend Rule 4b.2.6 as follows: <b>4b.2.6 Minimum building setbacks</b> i.... v. There shall be no front boundary setback for buildings and activities associated with <del>Electricity Generation and Renewable Energy</del> <u>Electricity Generation Activities</u> on land identified as Geothermal Area in Section O <del>within an Electricity Generation Core Site</del> where the road extends over any power generation Building or Structure. vi. There shall be no boundary setback for buildings and activities associated with <u>Renewable Electricity Generation Activities</u> on land identified as Geothermal Area in Section O <u>including</u> within an Electricity Generation Core Site EXCEPTIONS: · For the purpose of this performance standard water tanks are not required to comply with the setback requirements in this standard.	Reject, the proposed wording extends to all electricity generation activities that are not geographically defined. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which clarify this matter.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.46	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Seek amendment	Amend Rule 4b.2.7 as follows and to add a new clause (c): <b>4b.2.7 Minor residential units</b> A maximum of one minor residential unit per primary residential unit per allotment. i. All minor residential <u>units</u> or accommodation activity units shall: a. Be no larger than 100m2 in size b. Be located no greater than 20 metres from the primary residential unit. c. <u>Be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area.</u> e.d. Share an accessway/driveway with the primary residential unit. ...	Accept in part. Accept the word "unit" but reject the inclusion of clause c) as it is too prescriptive. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which cover this matter. As an alternative set of relief to address the matter but with increased certainty for landowner, an additional exception is recommended within 4b.2.7 that "Within allotments located within Area X or Area Y on Planning Map D3, that any minor residential unit shall be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area."
OS68.47	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amend Rule 4b.2.8 by including a new clause (iii) as below: <b>4b.2.8 Commercial and industrial activities, and home businesses</b> i. ... iii. <u>Home businesses shall be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area.</u> ...	Reject. The inclusion of clause iii) as is too prescriptive. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which cover this matter.
OS68.48	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Amend Rule 4b.2.13 as follows: <b>4b.2.13 Maximum Noise – Other</b> i. ... ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, <u>bursting discs, emergency or upset operating conditions</u> and hydro spills associated with the operation of <u>Renewable Electricity Generation Activities Core sites</u> . Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.	Accept, with the amendments proposed by the submitter, as the additional wording is a useful amendment for clarity. The exception to this is to reject the amendment that widens the applicability of the rule to 'Renewable Electricity Generation Activities' rather than solely the 'core sites' as the statutory effect of that change would be significant.
OS68.49	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Support	Retain Rule 4b.2.15.	Accept submission point in full.
OS68.50	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Retain Rule 4b.5.1 subject to an additional matter of control as set out in Rule 4b.5.3 (as per the relief below).	Accept submission point in full.
OS68.51	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend Rule 4b.5.3 to include an additional matter of control as 4b.5.3(i) as follows: <b>For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:</b> a)... j) <u>Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.</u>	Accept, as the additional assessment matter provides a useful addition for consideration of subdivision applications within the General Rural Environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.52	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.4 Subdivision - Default Activity Status	Support	Retain Rule 4b.5.4.	Accept submission point in full.
OS68.53	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.5 Subdivision resulting in a new public road, or extension of existing public road	Support	Retain Rule 4b.5.5	Accept submission point in full.
OS68.54	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.5 Subdivision resulting in a new public road, or extension of existing public road	Support	Retain Rule 4b.5.5.	Accept submission point in full.
OS68.55	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.7 Subdivision - Outstanding Landscape Areas	Support	Retain Rule 4b.5.7.	Accept submission point in full.
OS68.56	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Support	Retain Rule 4b.5.8.	Accept submission point in full.
OS68.57	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.9 Subdivision - More than 12 allotments	Support	Retain Rule 4b.5.9.	Accept submission point in full.
OS68.58	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Amend rule 4e.2.1 as follows: <b>4e.2.1 Foreshore Protection</b> ... i. EXCEPTION: Electricity Generation Core Sites (as identified on the planning maps) – permitted activity where in accordance with Rule <del>4b.2.4</del> <b>4b.1.4</b> and where located no more than 100 metres from any existing structure associated with power generation.	Accept as the amendment corrects a cross-reference.
OS68.59	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain 4b.2.9	Accept submission point in part, insofar as the technical acoustic advice does recommend minor wording amendments to suite of noise provisions to enhance clarity.
OS68.60	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.10 Maximum Noise - Construction Noise	Support	Retain 4b.2.10	Accept submission point in part, insofar as the technical acoustic advice does recommend minor wording amendments to suite of noise provisions to enhance clarity.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS68.61	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.11 Maximum Noise - Electricity Generation Core Sites	Support	Retain 4b.2.11	Accept submission point in part, insofar as the technical acoustic advice does recommend minor wording amendments to suite of noise provisions to enhance clarity.
OS68.62	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.12 Maximum Noise - Well Drilling and Testing	Support	Retain 4b.2.12	Accept submission point in part, insofar as the technical acoustic advice does recommend minor wording amendments to suite of noise provisions to enhance clarity.
OS68.63	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition of Renewable Electricity Generation as follows (being the same definition in the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG):  <u>Renewable electricity generation means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.</u>	Accept, with the insertion of the proposed definition of the phrase 'renewable electricity generation', as inclusion of the definition will enhance the operation of the district plan.
OS68.64	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition for Reverse Sensitivity as follows:  <u>Reverse sensitivity is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Accept in part. A definition for "reverse sensitivity" has already been included as per submission point 84.8 to be consistent with Waikato Regional Policy Statement.
OS70.1	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	We propose that Plan 42 includes a specific exemption in the RLE to allow existing smaller properties subdivided under the previous MVSP Forest and Valley cluster rules to continue with their original setbacks and coverage limits.	Reject. Cluster consents specified the building platforms, so as long as the building occurs as per the consent then the PC42 provisions do not apply.
OS70.2	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	We propose that TDC commission an expert report detailing the cumulative consequences of on-site wastewater treatment continuing indefinitely in the Mapara Valley against the Freshwater Quality Objectives.	Reject, out of scope. Waikato Regional Council responsible for waste-water consents.
OS70.3	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Support	We propose that the Plan 42 change include provision for upgrading all modes of transport in the Mapara Valley and connecting routes to town centre.	Reject. The Mapara Valley is no longer planned as a growth node. It has been removed from TD2050 (Taupo Districts growth strategy).
OS70.4	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > Deletion of Appendix 3 – Mapara Valley Structure Plan and associated Environments	Seek amendment	We propose that Plan 42 is further modified to include strategic provision of infrastructure to ensure TDC addresses adequately provides for current and future growth in the Mapara Valley. The current text of Plan Change 42 does not provide for this.	Reject. Rural properties are self-servicing for water and waste-water.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS70.5	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > Deletion of Appendix 3 – Mapara Valley Structure Plan and associated Environments	Seek amendment	We are unsure how to deal with this issue; we request that TDC provide a report of MVSP properties developed between the TD2050 in 2018 to present day and detail a strategy for adding services and infrastructure as part of the RLE.	Reject. Rural properties are self-servicing for water and waste-water.
OS70.6	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > Deletion of Appendix 3 – Mapara Valley Structure Plan and associated Environments	Seek amendment	We request that if the RLE goes forwards that TDC supports DOC in maintaining the status quo for public access to the Whakaipo reserve as Mapara Valley residents rely heavily on this area for recreation, exercise, and dog walking.	Reject. Out of scope for PC42.
OS70.7	Daniel	Pearl			Plan Change 42 - General Rural and Rural Lifestyle Environments > Deletion of Appendix 3 – Mapara Valley Structure Plan and associated Environments	Seek amendment	If rates are to be kept the same, we ask that TDC water, wastewater, recycling, and other infrastructure services be extended to the Mapara Valley. If Mapara Valley residents will never receive TDC water, wastewater, recycling, and other infrastructure, we request that the RLE rate is reduced to compensate for this loss, as this lack of services results in direct costs to the property owner.	Reject. Out of scope for PC42.
OS71.1	Kendall	Goode	Taupo District Council	Taupo District Council	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	<u>Add a vi. to 4b.2.6 Minimum building setbacks</u> <u>vi. 5m from the Foreshore Protection Area Boundary</u>	Accept, as this submission point is correcting an error as this 5 metre foreshore protection area boundary setback is within the Operative District Plan.
OS71.2	Kendall	Goode	Taupo District Council	Taupo District Council	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Seek amendment	<u>Add iv. to 4b.4.7 Minimum building setbacks</u> <u>iv. 5m from the Foreshore Protection Area Boundary</u>	Accept, as this submission point is correcting an error as this 5 metre foreshore protection area boundary setback is within the Operative District Plan.
OS72.1	William (Bill)	Chisholm		Recreational Backcountry Pilots Association (RBPA), Cessna 180/185 Club, Aircraft Owners and Pilots Association (AOPA) and Sports Aircraft Association (SAA)	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Add to this section to read: Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry vehicles, <b>private use of aircraft (excluding helicopters)</b> , agricultural and forestry machinery or equipment...	Reject. Noise controls need to apply to all aircraft operations, and this is supported by evidence provided by Jon Styles for noise.
OS72.2	William (Bill)	Chisholm		Recreational Backcountry Pilots Association (RBPA), Cessna 180/185 Club, Aircraft Owners and Pilots Association (AOPA) and Sports Aircraft Association (SAA)	Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	All other Rules are supported <b>providing</b> they do not alter or impinge on the status quo as it relates to the use and enjoyment of recreational aircraft (excluding helicopters) in the Rural Zone. If this is not the case, then they are opposed.	Noted, but the Plan Change 42 provisions do not alter the status quo in this regard.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS73.1	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1160 Mapara Road, Acacia Bay site is removed from the Rural Environment zone and zoned Rural Lifestyle Environment.	Reject. This is a 40 Ha block which is not currently Rural Lifestyle in character.
OS73.2	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1160 Mapara Road, Acacia Bay site, legal description: <u>Section 19, Block II, Tuhingamata East, SD. SA50A/550 ("Site")</u>	As per above submission point OS73.1.
OS73.3	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete the objective and amend to read: <u>"Maintain the character of the Rural Lifestyle Environment: Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment."</u>	Reject. Council need to meet Rural Lifestyle demand in rural lifestyle areas to avoid it occurring within the General Rural Environment. Objective 3b.3.1 allows this but in a manner that is not inappropriate.
OS73.4	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Add an item iii Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.	Reject. The intent of the provision is not to encourage cluster like development within the General Rural Zone.
OS73.5	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	<b>Oppose</b> Item ii That any subdivision below 10 hectares in the Rural Zone is Noncomplying. Discretionary Development 4- 10 hectares should be <b>retained</b> .	Reject. To meet Rural Lifestyle demand in the Rural Lifestyle areas discretionary development between 4-10ha has been removed. This is to continue to protect the General Rural Environment from the pressure of rural lifestyle subdivision and reduce reverse sensitivity effects.
OS73.6	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): <u>iii. Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity. Matters of discretion:</u> <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines</u>	Reject. 2 hectares is the smallest block to maintain some limited productivity and rural amenity. Below this it becomes a "residential" size which then places pressure on the Council for urban services/infrastructure.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS73.6 cont	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<p><u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u></p> <p><u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u></p> <p><u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u></p> <p><u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u></p> <p>Amend the discretionary rule to read:</p> <p>ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment <u>where the boundary of the lots is within 300m of the General Rural Environment boundary is a discretionary activity.</u></p>	As above.
OS73.7	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	<p>Add a policy which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use.</p> <p>For example: "Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity" or similar wording to address the reasons for the submission.</p>	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS73.8	Jan	Curtis			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.
OS74.1	Steve	Hawkins			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Amend Rule 4b.5.1 to make subdivision that results in lots smaller than 10ha a discretionary activity. Make any other consequential amendments to give effect to the relief above.	Reject. To meet Rural Lifestyle demand in the Rural Lifestyle areas PC42 has removed discretionary developemnt between 4-10ha. This is to continue to protect the General Rural Environment from the pressure of rural lifestyle subdivision and reduce reverse sensitivity effects.
OS74.2	Steve	Hawkins			Plan Change 42 - General Rural and Rural Lifestyle Environments	Oppose	Amend the rural environment chapters to reflect the objectives and policies of the NPS-HPL.	<p>Reject. The Plan Change 42 process was notified prior to the enactment of NPS-HPL. Council will go through a future process to update the ODP to respond more fully to NPS-HPL once Waikato Regional Council have completed the relevant mapping required for high class soils</p> <p>However It is acknowledged that all parties have obligations to adhere to the NPS-HPL now. Where it results in innocuous changes PC42 will reflect NPS-HPL, however this submission would necessitate re-drafting of provisions that have a wider impact on the ODP.</p>
OS74.3	Steve	Hawkins			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Amend the zone of the site located at 387 Whakaroa Road to Rural Lifestyle Zone. Site investigations have confirmed that the site is suitable for rural-lifestyle development	Reject. This is a 344 Ha block which is not currently rural lifestyle.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS75.4	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Amend. Rural Industry – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, dairy farming, <u>quarrying activities</u> , and geothermal/electricity generation.  Add: <u>primary production means:</u> <u>(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities;</u> <u>and</u> <u>(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</u> <u>(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but</u> <u>(d) excludes further processing of those commodities into a different product.</u>	Reject. Other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards.  In addition, adopting the national planning standards definition of 'primary production' as sought would necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.
OS75.5	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain.	Accept in part, insofar as the definition have been amended in response to various submission points.
OS75.6	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain.	Accept in part, insofar as the definition have been amended in response to various submission points.
OS75.7	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain.	Accept submission point in full.
OS75.8	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Retain.	Accept submission point in full.
OS75.9	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Support	Retain.	Accept submission point in full.
OS75.10	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend. Objective 3b.3.3 Commercial and industrial <u>and rural industry</u> activities The establishment of commercial and industrial <u>and rural industry</u> activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the Environment are avoided.	Reject, as Objective 3b.3.3 is a provision about 'establishment of commercial and industrial activities that have no functional need to locate' in a rural environment, which by definition is distinct from 'rural industry' which has a locational need to be in a rural environment. This distinction is apparent throughout the provisions.
OS75.11	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Amend. Policy 3b.3.9 Character of the Rural Lifestyle Environment Manage the anticipated character of the Rural Lifestyle Environment as defined by: a) ... e) An environment which includes residential activities, <del>rural productive</del> <u>primary production</u> activities and home business activities. f)...	Reject, as the submitter's point on including a definition of 'primary production' is not being accepted and therefore this amendment is not suitable either.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS75.12	Duncan	Whyte		Tauhara Quarries Ltd	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the General Rural Environment	Seek amendment	Amend. Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the Rural Lifestyle Environment: Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment <u>or primary production activities in the Rural Lifestyle Environment</u> to manage reverse sensitivity.	Reject, as the Rural Lifestyle Environment locations are relatively small in size and typically do not contain large-scale primary production activities. The impact of the submitter's change is that reverse sensitivity would also be managed within the Rural Lifestyle Environment areas which is not the primary intent of the provision.
OS76.3	Jeremy	Harding		Aggregate and Quarry Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	In the General Rural & Rural Lifestyle Environments, we recommend the use of National Planning Standards definitions to avoid confusion. This is particularly around the area of rural industries and primary production as it relates to quarries.	Council acknowledge there is a future process for transitioning the ODP into national planning standards format. However, the process for Plan Change 42 had already progressed too far to implement this now.  In order to transition efficiently without resulting in the re-drafting of provisions, Council will comprehensively transition the ODP into national planning standard format next year and will only be accepting simple changes through Plan Change 42. It is important to note that national planning standards definitions do not need to be updated until 2027.
OS76.4	Jeremy	Harding		Aggregate and Quarry Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	We recommend the use of National Planning Standards definitions to avoid confusion and potential duplication. This is particularly important around the area of rural industries and primary production as it relates to quarries.	It is acknowledged there is a future process for transitioning the ODP into national planning standards format. However, the process for Plan Change 42 had already progressed too far to implement this now.  In order to transition efficiently without resulting in the re-drafting of provisions, Council will comprehensively transition the ODP into national planning standard format next year and will only be accepting simple changes through Plan Change 42. It is important to note that national planning standards definitions do not need to be updated until 2027.
OS76.5	Jeremy	Harding		Aggregate and Quarry Association	Plan Change 42 - General Rural and Rural Lifestyle Environments	Support	Retain.	Accept submission point in full.
OS76.6	Jeremy	Harding		Aggregate and Quarry Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Council planning must identify where the rock is located and protect those areas	Accept in part as the submitter's point is concurred with. However it is not the intention to allow incremental expansion of the Rural Lifestyle Environment, but rather to direct future rural-residential growth to the zoned Rural Lifestyle Environment as per Plan Change 42, and/or housing growth to the district's urban areas.
OS76.7	Jeremy	Harding		Aggregate and Quarry Association	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	It is particularly important for our sector that rural lifestyle areas do not clash with areas of quarrying potential.	Accept in part as the submitter's point is concurred with. However it is not the intention to allow incremental expansion of the Rural Lifestyle Environment, but rather to direct future rural-residential growth to the zoned Rural Lifestyle Environment as per Plan Change 42, and/or housing growth to the district's urban areas.
OS77.1	Kirsteen	McDonald		E F Deadman Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the proposed Rural Lifestyle map to include the properties along Kaiapo Road. The land subject to this submission is identified on the attached plan titles 'Proposed Extension of Lifestyle Zoning' drawing no. 2049-051. <b>Please view full submission for map.</b>	Reject. This is more than 300 Ha of land which is not currently Rural Lifestyle in character.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS78.1	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain the introduction text.	Accept submission point in full.
OS78.2	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Add a new definition: <u>Agricultural aviation means: the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, biosecurity or biodiversity purposes. For clarity, aircraft includes fixed-wing airplanes, helicopters and unmanned aerial vehicles (UAV's).</u>	Reject, as the phrase is not used within the rural provisions of the Operative District Plan or Plan Change 42 amendments.
OS78.3	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Replace definition of Rural Industry with the NPS definition: <u>Rural Industry: means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</u>	Accept. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition ahead of this transition is innocuous and does not result in consequential amendments elsewhere in the ODP.
OS78.4	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Support	Retain the objective.	Accept submission point in full.
OS78.5	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain the objective.	Accept submission point in full.
OS78.6	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Retain the Policy.	Accept submission point in full.
OS78.7	Dominic	Adams		Ballance Agri-Nutrients	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Revise the rule to include as shown below: <i>Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry vehicles, <b>agricultural aircraft and support vehicles,</b> agricultural and forestry machinery or equipment...</i>	Accept, inclusion of the submitter's additional words is helpful for clarifying the scope of the exemption within the provision, as part of agricultural machinery and equipment which is the intent of the wording.
OS79.9	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Clarification of the area in Kinloch shown as proposed Rural Lifestyle as it relates to Rule 4a.4.4 and proposed minor dwelling rule is required	Reject. The area is proposed to be rezoned to achieve better consistency with the National Planning Standards. The Kinloch Rural Residential Rules would no longer apply.
OS79.10	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Buildings for the management of farmed animals - includes, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, animal boarding facilities and stables. Buildings housing animals do not include a residential unit accommodating household pets such as cats and dogs <u>and do not include buildings less than 100m2.</u>	Accept in part, as the submitter's intent to allow for small-scale buildings to be excluded from the definition is supported as a practical exemption given the likelihood of very low levels of effects, however 50sq metres is preferred given the submitter's threshold would allow relatively large-scale activities as an exemption.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.11	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Rural Industry - an activity that directly supports, services, or is dependent on primary production and has a <del>locational</del> functional or operational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, dairy farming and geothermal/electricity generation, <u>rural contractors, equestrian activities, horticulture, home kill, forestry processors, lawfully established industry, and the sale of rural produce on the site of production.</u>	Reject. Other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards.
OS79.12	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3 Objectives and Policies	Seek amendment	Amend to link policies to specific objectives, similar structure to current plan. Include broader assessment criteria for each rule.	The submitter is correct that during drafting there has been a rationalisation of assessment criteria, to locate the matters of discretion directly with the restricted discretionary activity rule provision. Some of the more generalised assessment criteria from the Operative District Plan 4b.4 Assessment Criteria has been removed to avoid repetition. Whilst the submitter's point about linking of policies directly to objectives is noted, the drafting intent is that all policies link to all objectives, obviously with differing degrees of relevance. Accept in part but with no amendments in response.
OS79.13	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	Amend: Rural industry is enabled whilst general commercial and industrial activities not having a <del>locational</del> functional or operational need to be within the General Rural Environment, other than home-business, are avoided. Delete rules that limit vehicle movements for rural industry, delete rules that restrict indoor primary production and delete rules that restrict commercial activities and alter or delete rules that restrict sale of primary produce.	The point regarding locational, functional or operational need is addressed above. It is considered that indoor primary production, and commercial activities including sale of primary produce can all take place in urban environments, with limited provision as a result as typically they do not have a functional or operational need to be within the General Rural Environment.
OS79.14	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Delete Rule 4b.2.8.	Reject, as the scale threshold within 4b.2.8 has been formulated to manage the scale of commercial activities (that do not fall within the definition of 'rural industry') and not to prevent it. The submitter is correct that Objective 3b.2.4 for the General Rural Environment does seek to be generally enabling of tourism activity and similar, but not as a permitted activity of all scale.
OS79.15	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	The impacts on <u>road</u> infrastructure arising from subdivision and development are managed <u>through the consent process.</u>	Accept in part, as whilst 'infrastructure' predominantly means transport infrastructure (roading) given that Council reticulated three waters network do not extend into rural areas, but in some cases may also refer to local electricity supply, telecommunications and similar provided by network utility operators.
OS79.16	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain.	Accept submission in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.17	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Maintain the established General Rural Environment character, as defined by: •... • <u>infrequent variable (weekly and seasonally)</u> vehicle movements to and from a site •...	Accept in part, as the submitter's point is concurred with and this is recognised within the definition for 'equivalent vehicle movements', but need not be within the policy.
OS79.18	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Seek amendment	Amend through the addition of assessment criteria for this rule	Reject, as whilst the submitter is correct that the definition for 'equivalent vehicle movements' has been formulated to manage all forms of vehicle movements, the policy focuses on heavy vehicle movements as that is the primary source of transportation impact and traffic safety impact. This is addressed also in the Waika Kotahi submission seeking a more restrictive regime for vehicle movements where reliant on access to a state highway.
OS79.19	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements		Delete or amend infringement of this rule to a Restricted Discretionary Activity to be clear what the key issue is and what mitigation is expected.	Reject, as given the effects-based style of district plan that Plan Change 42 is amending for the Rural Environment, performance standards based on the scale of the activity such as building floor area and vehicle movements perform a critical role in managing the scale of the activities that are in many cases otherwise a permitted activity. The submitter's point about PIMs is considered over-stated but presumably is referring to rural activities already in excess of the vehicle movements standard. In some cases additional buildings will trigger a consenting process for an existing activity, but only where there is a demonstrable increase in traffic generation, and not as matter of course as suggested by the submitter.
OS79.20	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Support	Retain.	Accept submission in full.
OS79.21	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Seek amendment	Amend Is this rule A maximum of one minor residential unit per primary residential unit per allotment? Or A maximum of one minor residential unit per primary residential unit <u>permitted by Rule 4b.2.4 per allotment.</u>	Reject, as PC42 does not want to enable additional housing beyond that provided within the notified provision given the potential for reverse sensitivity and impacts on rural productive uses.
OS79.22	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Oppose	Delete.	Reject. PC42 seeks to protect General Rural activities from reverse sensitivity effects so do not want to encourage non-rural businesses establishing within the zone.
OS79.23	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.16 Papakainga	Support	Retain.	Accept submission in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.24	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.17 Maori Cultural Activities	Support	Retain but clarify if Clause ii relates to all land management and uses.	Support noted, and the submitter is correct that as drafted clause ii) of the policy does apply widely within the Rural Environment.
OS79.25	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Seek amendment	Delete 3b.3.1 and replace with: <u>The development of the Rural Lifestyle Environment shall provide for low intensity rural activities and rural amenity associated with low intensity farming</u>	Reject, as the submitter asserts that the provisions will lead to a substantial level of change occurring through the Rural Lifestyle Environment, where the intent is that the existing rural residential land use and character of the locations is recognised but without large-scale further subdivision or intensification occurring.
OS79.26	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Seek amendment	Delete 3b.3.2 and replace with: <u>The Development of the Rural Lifestyle Environment shall avoid Adverse reverse sensitivity effects, including conflict with permitted and legally established activities in neighbouring Environments</u>	Reject, as the submitter's wording is primarily a re-arrangement of the notified wording, and the purpose of the Rural Lifestyle Environment is not to facilitate large-scale change, but primarily to recognise the existence of rural residential development within the identified RLE locations.
OS79.27	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend this objective to provide greater clarity.	Accept in part, as the submitter's point is that some commercial activities in rural environments are directly associated with rural industry and similar, and should be recognised within the objective. This is partially concurred with but is considered given effect to by the terminology within the provision about 'the need to locate' in the Rural Lifestyle Environment.
OS79.28	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.5 Allotment sizes	Seek amendment	Amend: That allotments are <del>developed</del> <u>maintained</u> at sizes to: •...	Reject, as the purpose of the Rural Lifestyle Environment is not to facilitate large-scale change, but primarily to recognise the existence of rural residential development within the identified RLE locations.
OS79.29	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Seek amendment	The impacts on community infrastructure arising from subdivision and development are managed <u>through subdivision consents conditions and development contributions.</u>	Accept in part, as the submitter is correct that consent conditions and development contributions.
OS79.30	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Manage the anticipated character of the Rural Lifestyle Environment as defined by: •... • <u>The provision of minor units associated with primary dwellings</u>	Reject, as whilst an element that is present in the Rural Lifestyle Environment, minor units are not currently a significant feature to be included within the policy, nor intended to become a more significant feature in the future.
OS79.31	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.14 Maori Cultural Activities	Support	Clarity is needed with regard to Clause ii as to its the application of it to all land management and all land uses.	Support noted, and the submitter is correct that as drafted clause ii) of the policy does apply widely within the Rural Environment.
OS79.32	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Oppose	Delete OR Make Rule 4b.1.5 and 4b.3.3 consistent in their assessment criteria.	Accept in part, insofar as 'rural industry' is distinct from 'commercial and industrial activities' in the rural environment, as 'rural industry' is defined with being a primary productive use or an activity with a locational need to be located within a rural environment, as opposed to urban. There is an expectation that 'rural industry' is the predominant activity and within that broad classification there are elements of commercial and possibly small-scale retail activity ancillary to the wider rural industry use.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.33	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.3 Home business, commercial, and retail activities	Seek amendment	Delete or amend 4b.3.3 Home business, commercial, and <del>retail</del> <u>industrial</u> activities • ... When considering activities under Rule 4b.3.3 Council restricts the exercise of its discretion to the following matters: •The effect of the activity on the Rural Lifestyle Environment character, <u>having regard to visual effects and lighting effects.</u> •... •... •The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated. •The hours of operation for the activity. •The proposed signage associated with the activity.	Reject, as replacing 'retail' with 'industrial' would result in confusion given that 'rural industry' is provided for as a different land use category. 'Home business, commercial, an retail activities' is either a permitted or restricted discretionary activity depending on scale, and therefore remains a relatively permissive framework.
OS79.34	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Seek amendment	Amend 4b.1.10 Intensive indoor primary production and rural industry •An intensive indoor primary production or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3 and 4b.2.5 <u>and 4b.2.6</u> is a permitted activity. •... The Council restricts the exercise of its discretion to the following matters: •The daily vehicle movements expected to and from the allotment. •The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects. •The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated. •The hours of operation for the activity. •The proposed signage associated with the activity. The Council restricts the exercise of its discretion to the following matters: •The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects. •The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated. •The hours of operation for the activity. •The proposed signage associated with the activity.	Accept amendment in full. This was an error.
OS79.35	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.2 Maximum building coverage	Support	Retain.	Accept submission point in full
OS79.36	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.3 Maximum building size	Support	Retain.	Accept submission point in full
OS79.37	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Support	Retain.	Accept submission point in full
OS79.38	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend proposed rule 4b.2.6 with (i) 30 metre setback for dwellings and minor residential units <u>and other buildings</u> from the front boundary. (ii) 15 metres setback for <u>dwellings, and minor residential units and other buildings</u> from all other boundaries. And Amend to include <u>4b.1.11 Building setback</u> Infringement of Rule 4b.2.6 is a restricted discretionary activity	Accept in part, as the amendment to (i) and (ii) with inclusion of 'and other buildings' and 'for dwellings, and minor residential units and other buildings' does enhance the clarity of the provision and is supported. The other amendments are not supported as the reference to 4b.1.11 is unclear as that provision does not exist; and it is not the plan format for the performance standard to specific activity status (but rather the corresponding rule).

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.39	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Either a.delete the rule or b. provide an exemption for buildings of 100m2 in the definition , and provide an exemption such buildings located along side existing buildings or c. reduce the distance to 30m from all other boundaries, or d. (i) reduce the distance to 30m from all other boundaries adjoining General Rural and (ii) 50m from boundaries adjoining Rural Lifestyle	Accept in part. For clarity, the following exemption to be included for 'buildings for the management of farmed animals':  <u>NOTE: Buildings with a floor area of 50m2 or less are exempt from this definition</u>
OS79.40	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Seek amendment	4b.2.7 Minor residential units A maximum of one minor residential unit per primary residential unit per allotment. All minor residential or accommodation activity units shall: Be no larger than 100m2 in size <u>(inclusive of garaging)</u> . ...	Accept, as the submitter is correct that an inconsistency exists between the two standards and should be aligned as proposed by the submitter.
OS79.42	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.2 Minor residential units	Seek amendment	When considering activities under Rule 4b.3.2 Council restricts the exercise of its discretion to the following matters: •... • <u>The proximity between the primary residential unit and the minor residential unit.</u> • <u>Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful</u> • <u>The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.</u>	Accept, as the submitter is correct that ere are three additional assessment criteria applying to 4b.1.2 and that these should also be included within 4b.3.2, as all are relevant to the Rural Lifestyle Environment also and would enhance the provision.
OS79.43	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amendment sought is either to delete this rule or increase the area. Additionally Rural Industry should be exempt from limitation for retail.	Reject, as the provision sets a scale standard for 'commercial and industrial activities, and home businesses' that do not fall within the definition of 'rural industry' and therefore are land use activities that do not require a rural location and could be provided within urban areas of the district. For that reason the standard is relatively restrictive, but any proposal for such an activity can proceed through the consenting process as a restricted discretionary activity.
OS79.44	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Seek amendment	Greater inclusion in the district plan of the exclusion of limited notification on appropriate rules	Reject, as there is not considered to be a need to dispense with the usual section 95 RMA notification tests for these activities, particularly given that the standards manage scale of activity and suitability of an activity for a rural location, and notification may be necessary due to reverse sensitivity or other effects.
OS79.45	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.7 High voltage transmission lines	Seek amendment	Delete second set of assessment criteria. • <del>The Council restricts the exercise of its discretion to the following matters:</del> • <del>The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.</del> • <del>The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.</del> • <del>The hours of operation for the activity.</del> • <del>The proposed signage associated with the activity.</del>	Accept amendment in full. This was an error.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.46	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.1 Vehicle movements	Oppose	Delete or Amend infringement of this rule to a Restricted Discretionary Activity to be clear what the key issue is and what mitigation is expected.	Reject, as the threshold within the standard of 100 equivalent vehicle movements per day per allotment is considered suitable for the Rural Lifestyle Environment. If a rural land use activity does exceed the threshold then likely there are effects on the transport network and/or traffic safety at site entrances, and Council intends that a resource consent process should be necessary. The submitter's concern about PIM processes on each building consent are considered over-stated.
OS79.47	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.2 Maximum building coverage	Support	Retain.	Accept submission point in full.
OS79.48	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.3 Maximum building size	Support	Retain.	Accept submission point in full.
OS79.49	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.4 Maximum density of residential units	Seek amendment	Seek clarification how this relates to Areas X & Y.	The rule relating to residential use within Area X and Area Y is 4e.15 and is an operative plan district-wide provision not being amended by Plan Change 42. The density standard 4b.4.4 has been formulated to match the equivalent subdivision rule for Rural Lifestyle Environment. The intent is that if a property is located within Area X or Area Y that 4e.15 still applies.
OS79.50	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Support	Make Rule 4b.2.7 and Rule 4b.4.5 consistent.	Accept, as there is an unintended inconsistency between the standards. The amendment though is in response to another of the submitter's points in respect of Rule 4b.2.7.
OS79.51	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Seek amendment	Amend: (i) 30 metre setback for dwellings and minor residential units <u>and other buildings</u> from the front boundary. (ii) 15 metres setback for <u>dwellings, and minor residential units and other buildings</u> from all other boundaries except as restricted by clause iii.	Accept with the amendments included as sought, as the submitter's amendment enhance the clarity of the provision and better achieve the drafting intent.
OS79.52	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.9 Home business, commercial, and retail activities	Oppose	Amendment sought is either to delete this rule or increase the area. Additionally Rural Industry should be exempt from limitation for retail. This rule also covers commercial and industrial and home business however Rule 4b.2.2 covers commercial homes business and retail. 4b.4.9 Home business, commercial, and <del>industry retail</del> activities •Any indoor or outdoor space used for a home business, commercial or <del>retail</del> <u>industry</u> purposes, shall be less than 100m <sup>2</sup> in gross floor area for indoor activities, or 100m <sup>2</sup> of land area for outdoor activities. •...	Reject, as for the Rural Lifestyle Environment the phrase adopted is 'home business, commercial, and retail activities' on the basis that industry will not generally be suited, even at the scale provided for within the standard. This is due to the higher amenity expectation within the Rural Lifestyle Environment.
OS79.53	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	Amend to ensure consistency.	Accept in part. The submitters has noted an error for Rule 4b.5.2 that was not intended in PC42 when notified. However, reject submitters amendment for Rule 4b.5.3 for subdivision less than 2ha as a discretionary activity. The intent is to discourage subdivision less than 2ha within the Rural Environment i.e. both Rural Lifestyle and General Rural.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS79.54	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment... Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment is a <del>discretionary</del> <u>non-complying</u> activity.	Accept in part. The submitters has noted an error for Rule 4b.5.2 that was not intended in PC42 when notified. The rule has been amended so that any subdivision less than 2ha adjoining the General Rural environment be a non-complying activity, making it consistent with Rule 4b.5.3. The intent is to discourage subdivision less than 2ha within the Rural Environment i.e. both Rural Lifestyle and General Rural.
OS79.55	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend as follows 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment •.... •Subdivision resulting in lots that are smaller than 2 hectares that do not adjoin the General Rural Environment is a <del>non-complying</del> <u>discretionary</u> activity. For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:.. d. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes, <u>and fault lines</u> ...	Accept in part. Include the amendment for recognising fault lines as a potential natural hazards effect. However, reject submitters amendment for subdivision less than 2ha as a discretionary activity. The intent is to discourage subdivision less than 2ha within the Rural Environment i.e. both Rural Lifestyle and General Rural.
OS79.56	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.5 Subdivision resulting in a new public road, or extension of existing public road	Seek amendment	4b.5.5 Subdivision resulting in a new public road, or extension of existing public road The Council restricts the exercise of its discretion to the following matters: a... b.The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development <u>including the need for connectivity to adjoining land and other roads and the facilitation of multimodal transport</u> ;...	Accept, with the amendments proposed by the submitter, as the additional wording is a useful amendment.
OS79.57	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.6 Subdivision - Other	Seek amendment	Update Rules in Rule 4b.5.6 to be more consistent with General Rural subdivision rules.	Accept in part. Rule 4b.5.6 has been updated to be consistent with General Rural Subdivision rules.
OS79.58	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.9 Subdivision - More than 12 allotments	Seek amendment	Amend to include assessment criteria or provide policy direction similarly. 4b.5.9 Subdivision - More than 12 allotments Any subdivision of land where more than twelve (12) allotments share a single common access in the General Rural Environment or Rural Lifestyle Environment is a discretionary activity. <u>Assessment Criteria</u> <u>1. Adequacy of road legal and formed width</u> <u>2. Adequacy of legal arrangements for the private road maintenance.</u> <u>3. the consideration for connectivity or future connectivity</u> <u>4. the provision of multi modal considerations ie public pedestrian access or public cycleways including easements .</u>	Reject. The submitter's points about the operation of the operative rule are concurred with, but as a discretionary activity it is no longer the format of the rural chapter to include specific matters of discretion, but rather would be assessed against objectives and policies.
OS80.1	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1182 Mapara Road, Acacia Bay site is removed from the Rural Environment zone and zoned Rural Lifestyle Environment as per submission point below.	Reject. This is a 45 Ha block, which is not currently a rural lifestyle block. The intent is to keep large blocks 'large' so that they continue to be available for rural production activities.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS80.2	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1182 Mapara Road, Acacia Bay site.	Reject. This is a 45 Ha block, which is not currently are rural lifestyle block. The intent is to keep large blocks 'large' so that they continue to be available for rural production activities.
OS80.3	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Oppose	Delete the objective and amend the objective to read: "Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> "	Accept in part, in so far as the objective has already been amended via other submissions to clarify this objective.
OS80.4	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance, for example 40m, from primary residence.	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.
OS80.5	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii: <u>Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.</u>	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment.
OS80.6	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii That any subdivision below 10 hectares in the Rural Zone is Non-complying. Discretionary Development 4- 10 hectares should be retained.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment.
OS80.7	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): iii. <u>Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity.</u> <u>Matters of discretion:</u> <u>a.The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines</u>	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS80.7 cont	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<p><u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u></p> <p><u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u></p> <p><u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u></p> <p><u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u></p> <p>Amend the discretionary rule to read:</p> <p>ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment <u>where the boundary of the lots is within 300m of the General Rural Environment boundary</u> is a discretionary activity</p>	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.
OS80.8	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Add a policy which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use. For example: <u>"Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity"</u> or similar wording to address the reasons for the submission.	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS80.9	Lars	Carlton		Sunny Ridge Farm GP Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.
OS81.1	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1182 Mapara Road is removed from the Rural Environment zone and zoned Rural Lifestyle Environment.	Reject. This is a 45 Ha block, which is not currently are rural lifestyle block.
OS81.2	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1182 Mapara Road, Acacia Bay.	Reject. This is a 45 Ha block, which is not currently are rural lifestyle block.
OS81.3	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete the objective and amend the objective to read: "Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> "	Accept in part, in so far as the objective has already been amended via other submissions to clarify this objective.
OS81.4	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance from primary residence (for example 40 m).	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS81.5	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii: Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment.
OS81.6	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii: That any subdivision below 10 hectares in the Rural Zone is Non-complying. Discretionary Development 4- 10 hectares should be retained.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought.
OS81.7	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): <u>iii. Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity.</u> <u>Matters of discretion:</u> <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines</u>	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.
OS81.7 cont	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u> <u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u> <u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment</u> <u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u> Amend the discretionary rule to read: ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment <u>where the boundary of the lots is within 300m of the General Rural Environment boundary</u> is a discretionary activity	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS81.8	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Add a policy and corresponding rules which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use.  For example: "Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity" or similar wording to address the reasons for the submission.	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS81.9	Timothy	Carlton		No	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.
OS82.1	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1160 Mapara Road, Acacia Bay site, is removed from the Rural Environment zone and zoned Rural Lifestyle Environment.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS82.2	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1160 Mapara Road, Acacia Bay.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS82.3	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete the objective In the alternative, amend the objective to read: "Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> "	Accept in part, in so far as the objective has already been amended via other submissions to clarify this objective.
OS82.4	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance from primary residence (eg 40m).	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.
OS82.5	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii. Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS82.6	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii: That any subdivision below 10 hectares in the Rural Zone is Non complying. Discretionary Development 4- 10 hectares should be retained.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment.
OS82.7	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows (changes shown in underlined text): <u>iii. Subdivision resulting in lots that are between 5,000m2 and 4ha adjoining the General Rural Environment, where all lots are set back a minimum of 300m from the boundary of the General Rural Environment, is a restricted discretionary activity.</u> <u>Matters of discretion:</u> <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines.</u> <u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u> <u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u> <u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u> <u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes.</u>	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.
OS82.7 cont	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	<u>Amend the discretionary rule to read:</u> <u>ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment where the boundary of the lots is within 300m of the General Rural Environment boundary is a discretionary activity.</u>	Reject. The submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process.
OS82.8	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Add a policy and corresponding rules which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use.  For example: "Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity" or similar wording to address the reasons for the submission.	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS82.9	Geoff	Carlton			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS83.1	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Clarity is sought in the following definition "Buildings for the management of farmed animals – and the inclusion of <b>animal boarding facilities</b> and <b>stables</b> . Working dogs to be excluded from the "animal boarding facilities" definition. Stables should be removed and amended to read Horse Stud and equestrian centre facilities	Accept in part. Replace the word "animal boarding facilities" with "pet boarding facilities" in the "buildings for the management of farmed animals" definition as this provides further clarity.  Reject the replacement of stables with stud and equestrian centre facilities as these are more facilities than the actual building.
OS83.2	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Support	Retain.	Accept submission point in full.
OS83.3	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Large open spaces between built structures WHERE PRACTICAL - Allow for closer proximity of built structures where necessary for the proper functioning of the relevant activity at that property	Reject, as the predominant property size is ten hectares or larger in General Rural Environment and therefore separation between land use activities and buildings generally is practical, but if not can be pursued through the consenting process to recognise site-specific factors.
OS83.4	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Delete - Infrequent vehicle movements to and from a site	Accept in part, as other amendments have been made to the policy regarding recognising 'generally infrequent' vehicle movements (OS35.7), and the associated rule incorporates an averaging which seeks to recognise seasonal traffic peaks.
OS83.5	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Oppose	Enable minor dwellings to be located in a manner which ensures sufficient distance from the main house to ensure not only outlook and privacy but also impact of household noise on each dwelling if they are in too close proximity to each other.	Reject, as whilst minor residential units in the General Rural Environment provides for farm workers accommodation and meets rural housing needs, allowing a proliferation of housing within the environment is not supported due to reverse sensitivity and other effects.
OS83.6	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Oppose	Reduce minimum building setbacks 1. 15 metre setback for dwellings and minor residential units from the front boundary ii. 10 metres from all other boundaries iii. 15 metres from outstanding landscape areas from all boundaries iv. 30 metres for buildings for the management of farmed animals from all boundaries	Reject, as the primary amendment sought by the submitter is to reduce the setback for 'buildings for the management of farmed animals' from 200m to 30m. Whilst the point made about practical concerns is acknowledged this can be managed through the consenting process, and in general maintaining a strong separation between rural buildings and uses avoids reverse sensitivity and other effects.
OS83.8	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.1 Vehicle movements	Oppose	1. 100 vehicle movements per day	Reject. Although the submitter is correct that traffic generation from typical activities such as a 'dwelling' will vary, that is not considered a reason to allow a doubling of 'as of right' vehicle movements given the standard is a scale of activity standard to manage effects of permitted activities.
OS83.9	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Oppose	i. up to 2 minor residential units per primary residential unit ii.a. Be no larger than 100m <sup>2</sup> plus 18m <sup>2</sup> for garaging ii.b. Be located up to 40 metres from the primary residential unit ii.c. Where possible and/or practical, share an accessway from the road with the primary residential unit	Reject, as the impact of the submitter's amendment would be to potentially double the amount of minor residential units in the Rural Lifestyle Environment which cumulatively would have a significant impact on the functioning of these locations. As reported on in the Property Economics Reports, there is not a need to supplement housing supply further by allowing for more minor residential units in the rural environment as proposed.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS83.10	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Oppose	i. 10 metres setback for dwellings and minor residential units from the front boundary ii. 7 metres from all other boundaries iii. dwellings and minor residential units shall be setback a minimum of 15 metres from the General Rural Environment	Reject, as the submitter's amendments seek substantial reductions in setbacks on the basis of practicality. Two hectare blocks on the whole provide ample opportunity for siting buildings and the consenting process would need to apply to any situations where that was not the case.
OS83.11	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.9 Home business, commercial, and retail activities	Oppose	Any indoor or outdoor space used for a home business, commercial or retail purposes, shall be less than 150m2 in gross floor area for indoor activities, or 150m2 of land area for outdoor activities.	Reject, as the submitter is proposing a 50% increase per property for home businesses and small scale commercial land uses. A reasonable allowance for such activities has been made but these activities do not require a rural location to operate and are provided for more fully in the district's urban areas.
OS83.12	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.10 Signage	Seek amendment	ii. maximum total face area – 2m2 iii. signage must relate to the activity undertaken on the allotment unless it is a temporary 1m2 sign erected for a maximum of 4 weeks by a contractor working on the allotment v. One temporary sign per allotment, 3m2 total face area, for the sale of land or buildings.	Reject. The standard does allow for one permanent and one temporary sign per property, with the temporary sign having a 2m2 total face area. Enabling more permanent signage per property though will be contrary to the appearance and amenity intended for these locations.
OS83.13	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Support	Retain.	Accept submission point in full.
OS83.14	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Support	Retain.	Accept submission point in full.
OS83.15	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.11	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	<p>Amend the definition of <b>Rural Industry</b> as shown, and insert new definitions of “Renewable Electricity Generation” and “Renewable Electricity Generation Activities” (being the same definitions in the NPS-REG).</p> <p><b>Rural Industry</b> – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, <u>and</u> dairy farming <u>and geothermal/electricity generation</u>.</p>	<p>Accept in part. It is acknowledged there is an obligation to respond to the NPS-REG. Although “Renewable Electricity Generation” is not used within Plan Change 42 there is a future process for transitioning the ODP into national planning standards format where it will be included within their own ‘Energy’ chapter. Including the definition ahead of this transition does not result in consequential amendments elsewhere in the ODP. However, including a definition for “Renewable Electricity Generation Activities” does have a much broader meaning within the proposed rule framework and could result in provisions becoming weaker. When the district plan is transitioned to national planning standards there will be a standalone energy chapter that can capture such activities in a more specific rule framework.</p> <p>However, other submission points have been accepted in relation to replacing the definition for ‘rural industry’ to be consistent with national planning standards so therefore reject this part of the submission.</p>
OS84.12	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<p>Retain 3b.1 Introduction subject to amendments below:</p> <p><b>General Rural Environment</b> The General Rural Environment .... Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy <u>sources</u> and plantation forestry activities, with dispersed buildings and rural roads.... The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land <u>and other natural resources</u> within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for, <del>yet</del> allowing appropriate development to occur while preserving the ‘<del>openness</del>’ <u>rural character</u> of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, <u>renewable electricity generation activities</u>, and rural industry, <u>meaning an activity being activities</u> that directly supports, services, or is are dependent on primary production <u>and/or have</u> a locational <u>or functional</u> need to be within the General Rural Environment (rather than an urban environment).</p>	<p>Accept, as the amendments proposed by the submitter are supported as provide greater clarity and better achieve the intent of PC42 in formulating this introduction statement.</p>
OS84.12 cont	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<p><del>Primary production</del> Activities in the General Rural Environment will produce effects that are different from urban areas, such as ... The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production <u>and/or have</u> a locational <u>functional or operational</u> need to be within the General Rural Environment...</p> <p><b>Rural Lifestyle Environment</b> ... By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production <u>and other activities predominating</u> in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the <del>open space characteristics</del> <u>rural character</u> and <u>the</u> productive potential of the rest of the Rural Environment... ...The Rural Lifestyle Environment areas are located <del>closer</del> <u>in proximity</u> to urban areas to allow for access to community facilities within the district’s townships.</p>	<p>Accept, as the amendments proposed by the submitter are supported as provide greater clarity and better achieve the intent of PC42 in formulating this introduction statement.</p>

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.13	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Seek amendment	Retain Objective 3b.2.1 subject to amendments below. <b>Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources</b> Primary production and the use of natural resources is enabled by protecting the availability of the rural land and other resources and its their productive capability.	Accept, as the broadening of the objective beyond a focus on primary production is supported, given the importance of energy and other rural industries.
OS84.14	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Oppose	Amend Objective 3b.2.2 as shown below: <b>Objective 3b.2.2 Maintaining the established General Rural character</b> The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided. Enable a range of productive activities in the General Rural Environment that are compatible with rural character.	Reject. The purpose of the objective is about protecting the rural environment from subdivision thereby maintaining the established character as it is now i.e. not making it worse. The objective also achieves retaining rural productivity and therefore the proposed amendment does not add to the current wording.
OS84.16	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Oppose	Amend Objective 3b.2.4 as follows: <b>Objective 3b.2.4 Other activities</b> Maori cultural activities, tourism activities, and visitor accommodation and renewable electricity generation and transmission activities are enabled in appropriate locations within the General Rural Environment.	Reject submission in full. 'Appropriate locations' isn't clear and has potential to have a contested meaning. The current objective wording provides a clear list of current activities in rural locations. Council have controls in place to review visitor accommodation through restricted discretionary provisions.
OS84.17	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Seek amendment	Amend Objective 3b.2.5 as follows: <b>Objective 3b.2.5 Avoidance of reverse sensitivity</b> Reverse sensitivity effects on permitted, and legally established, and/or consented activities within the General Rural Environment...	Accept, the additional wording better reflects Environment Court decisions on what constitutes the 'environment' and is supported as an enhancement to the wording of the objective.
OS84.18	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	Amend Objective 3b.2.6 as follows: <b>Objective 3b.2.6 Impacts on infrastructure</b> The impacts on infrastructure arising from subdivision and development are managed do not compromise the safe and efficient functioning of infrastructure.	Accept, as the submitter's amendments sharpen the focus of the objective wording and better achieves the intent of PC42.
OS84.19	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Amend Policy 3b.2.9 as follows: <b>Policy 3b.2.9 Maintaining the established Rural character</b> Enable activities in the Maintain the established General Rural Environment that will not compromise the character of the General Rural Environment, as defined by: a) Extensive pastoral farming and forestry b) Renewable electricity generation activities c) Geothermal steamfields, electricity transmission and distribution ad) Large open spaces between built structures be) A mix of residential and rural industry buildings e) Noises related to production activities during the day but low levels of noise at night d) Low levels of light spill f) Effects from activities including noise, vibration, odour and visual effects e) Infrequent vehicle movements to and from a site fg)...	Reject. The proposed amendments are too specific when policy was aimed at being more broad, setting out general features of the rural environment not specific activities.  When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.
OS84.20	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Seek amendment	Amend Policy 3b.2.10 as follows: <b>Policy 3b.2.10 Residential units</b> Avoid the cumulative effects of rural lifestyle development by providing for these activities within the Rural Lifestyle Environment and otherwise limiting residential units within the General Rural Environment that: a) ... c) Erode the general rural character through its density, scale and location. d) Result in the potential to generate reverse sensitivity effects. e) Constrain the ability to access or utilise renewable energy resources.	Accept in part. The additional wording has a sharper focus and strengthens what PC42 are trying to achieve through the policy.  However, reject the inclusion/amendments clauses d) and e). Clause d) is already provided for in the reverse sensitivity Policy 3b.2.13 and clause e) doesn't need to be provided across whole plan.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.21	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Seek amendment	Amend Policy 3b.2.12 as follows: <b>Policy 3b.2.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised <u>and to avoid the potential for reverse sensitivity effects.</u>	Reject. There's a specific reverse sensitivity Policy 3b.2.13 that should not be duplicated.
OS84.22	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Seek amendment	Amend Policy 3b.2.13 as follows: <b>Policy 3b.2.13 Avoiding reverse sensitivity</b> Any <del>adverse effects generated by a new sensitive</del> activity must be managed <u>within the allotment</u> so as to avoid <del>adversely affecting reverse sensitivity effects on</del> permitted, and lawfully established <u>and/or consented</u> neighbouring activities.	Accept in part. The wording "and/or consented" should be included only as this provides for consented activities not yet built. However reject the suggested amendments on 'sensitive activities' as this needs to be kept more general for Council to assess on case by case basis.
OS84.23	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Seek amendment	Amend Policy 3b.2.14 as follows: <b>Policy 3b.2.14 Commercial and industrial activity</b> Limit the scale of commercial and industrial activity ( <u>excluding renewable electricity generation activities</u> ) to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production <u>and other activities provided for within the General Rural Environment.</u>	Reject. This policy does not apply to renewable electricity generation activities as it is not covered in rural industry definition. When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.
OS84.24	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain Policy 3b.2.15 as notified.	Accept submission point in full.
OS84.25	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete Objective 3b.3.1 and replace it with the following: <b>Objective 3b.3.1 Enable Rural Residential Activities</b> <u>Zone parts of the Rural Environment as Rural Lifestyle Environment to enable and provide for rural residential activities in appropriate locations where they will not give rise to reverse sensitivity effects on the surrounding General Rural Environment or Industrial Environments.</u>	Accept in part. The wording of the objective has been updated to replace the word "incremental" with the word "inappropriate" as this allows for Rural Lifestyle subdivision but does not encourage residential zoning density. The word "enabling" implies the encouragement of development when the intent is to keep rural development where it currently is.
OS84.26	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Oppose	Amend Objective 3b.3.2 as follows: <b>Objective 3b.3.2 Avoid reverse sensitivity</b> Adverse reverse sensitivity effects, <del>including conflict with</del> on permitted, and legally established <u>and/or consented</u> activities in neighbouring Environments, are avoided.	Accept, as the submitter's amended wording enhances the clarity of meaning, and the words "including conflict with" are not considered necessary.
OS84.27	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend Objective 3b.3.3 as follows: <b>Objective 3b.3.3 Commercial and industrial activities</b> The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the <u>Rural Lifestyle Environment</u> are avoided.	Accept, as the submitter's wording is a useful addition to the objective for clarity.
OS84.28	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.4 Consolidate rural lifestyle activities	Support	Retain Objective 3b.3.4.	Accept submission point in full.
OS84.29	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Amend Objective 3b.3.6 as follows: <b>Objective 3b.2.6 Impacts on community infrastructure</b> The impacts <del>on community infrastructure</del> arising from subdivision and development <del>are managed</del> <u>do not compromise the safe and efficient functioning of infrastructure.</u>	Reject submission in full. Community infrastructure is a specific definition used from wider ODP and for reason as it specifies Council-operated infrastructure. This objective doesn't need to be broadened as wider infrastructure is protected for anyway.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.30	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Add a new point i) to Policy 3b.3.9 as follows: <b>Policy 3b.3.9 Character of the Rural Lifestyle Environment</b> Manage the anticipated character of the Rural Lifestyle Environment as defined by: a) ... <u>i) An environment that is surrounded by a working rural environment including rural production, geothermal steamfields and renewable electricity generation activities.</u>	Accept in full. The addition of the extra clause i) as sought by the submitter is useful for enhancing clarity and is supported.
OS84.31	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the General Rural Environment	Support	Retain Policy 3b.3.10 as notified.	Accept submission point in full.
OS84.32	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.12 Minor residential unit	Seek amendment	Amend Policy 3b.3.12 as follows: <b>Policy 3b.3.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, <del>and</del> to further protect the character of the Rural Lifestyle Environment <del>and to avoid reverse sensitivity effects.</del>	Accept, as the amendment enhances the meaning of the policy and will better give effect to Objective 3b.3.2 regarding reverse sensitivity.
OS84.33	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain Rule 4b.1.1 as notified.	Accept submission point in full.
OS84.34	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Seek amendment	Retain Rule 4b.1.2 subject to the amendments below. f. The ability to <del>mitigate</del> <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, <del>and</del> alternative design, <u>and/or other means including restrictive covenants.</u> i. The potential to constrain access to and/or the utilisation of renewable energy sources.	Accept in part. By adding the word 'avoid' for reverse sensitivity effects, the meaning would become 'avoid' all types of adverse effects which is not the intention. Including the use of restrictive covenants is not considered necessary to define here. Accept the addition of clause i) as a useful addition the provision.
OS84.35	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	Amend Rule 4b.1.4 as follows: <b>4b.1.4 Electricity Generation Core Sites, Renewable Energy <u>Electricity</u> Generation Activities and Geothermal Steamfields Areas</b> i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal <del>steamfields areas</del> , renewable <del>energy electricity</del> generation activities and associated structures <u>and ancillary activities</u> is a <b>permitted activity</b> . NOTE: For the purpose of this rule "maintenance" means: All activities associated with the protective care, <del>and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to monitor</del> , testing and/or arresting the processes of decay, structural fatigue, erosion or dilapidation <u>of all associated structures</u> and includes maintenance of surrounds and water areas.	Accept in part. To be consistent with Plan Change 38, replace 'energy' with 'electricity' as per proposed amendment.  However reject the proposed deletion as these terms are specifically defined. Also reject the addition of "and ancillary activities" and clause ii) as these are too wide and broad. When Council transition the ODP into national planning standards format there will be an Energy chapter where energy related ancillary activities will be provided for.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.35 cont	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Seek amendment	NOTE: For the purpose of this rule "minor upgrading" means: Structural improvement, repair and replacement <u>or upgrade of components, or activities required for the continued safe and efficient operation</u> including worn or technically deficient parts of <u>any structure including</u> the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures <u>of similar character and scale</u> , and includes associated drilling, <u>vehicles, infrastructure, machinery</u> , testing, monitoring, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures <u>up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.</u>	Accept in part. Accept proposed amendments apart from the submitter's phrase "any structure including" as this is too wide and broad, potentially allowing for activities it should not.
OS84.36	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Seek amendment	Retain Rule 4b.1.5 subject to the amendments below. ... When considering activities under Rule 4b.1.5 Council restricts the exercise of its discretion to the following matters: c. The effect of the activity on surrounding land uses ( <u>including reverse sensitivity effects</u> ), and how these effects can be managed onsite and/or mitigated.	Accept, as the additional wording is considered a helpful addition that enables potential reverse sensitivity effects to also be included.
OS84.37	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Seek amendment	Retain Rule 4b.1.7 subject to the amendments shown: 4b.1.7 <u>Buildings and structures in proximity to H</u> high voltage transmission lines i. Any building <u>or structure</u> (except network utilities <u>or renewable electricity generation activities</u> )...	Reject. Structures are covered within the definition of building and the term "renewable electricity generation activities" is too broad.
OS84.38	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Seek amendment	Retain Rule 4b.1.8 but amend the first exception to the rule as follows: ... is a <b>restricted discretionary activity</b> . EXCEPTION: This rule will not apply to the erection of structures: a. <u>Associated with existing renewable electricity generation activities including within</u> Electricity Generation Core Sites...	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.
OS84.39	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Seek amendment	Retain Rule 4b.1.9 but amend the exception to the rule as follows: ... EXCEPTION: This rule will not apply to Earthworks <u>associated with existing and consented renewable electricity generation activities including</u> within Electricity Generation Core Sites.	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.
OS84.40	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Retain 4b.2.1 subject to the amendment below. ... This performance standard shall not apply to traffic movements involved in forest harvesting operations <u>or existing and/or consented renewable electricity generation activities</u> .	Reject, as expanding the exemption to also include 'renewable electricity generation activities' could apply widely across the district as it would not be geographically defined (unlike a phrase like 'renewable electricity core sites'. This would have the effect of creating a much wider exception than was intended and is not supported.
OS84.41	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain 4b.2.9 as notified.	Accept in part insofar as minor wording amendments have been recommended in response to technical acoustic advice to enhance clarity.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.42	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.10 Maximum Noise - Construction Noise	Support	Retain 4b.2.10 as notified.	Accept in part insofar as minor wording amendments have been recommended in response to technical acoustic advice to enhance clarity.
OS84.43	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.11 Maximum Noise - Electricity Generation Core Sites	Support	Retain 4b.2.11 as notified.	Accept in part insofar as minor wording amendments have been recommended in response to technical acoustic advice to enhance clarity.
OS84.44	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Amend Rule 4b.2.13 as follows:  <b>4b.2.13 Maximum Noise – Other</b> i. ...91 ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, <u>bursting discs, emergency or upset operating conditions</u> and hydro spills associated with the operation of <u>Renewable Electricity Generation Activities Core sites</u> . Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.	Accept, with the amendments proposed by the submitter, as the additional wording is a useful amendment for clarity. The exception to this is to reject the amendment that widens the applicability of the rule to 'Renewable Electricity Generation Activities' rather than solely the 'core sites' as the statutory effect of that change would be significant.
OS84.45	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend Rule 4b.5.3 as follows: ... <b>For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:</b> ... j) <u>Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.</u>	Accept, as the additional assessment matter provides a useful addition for consideration of subdivision applications within the General Rural Environment.
OS84.46	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Genesis seeks the relief set out under each relevant provision. To the extent that any of the relief sought is not accepted, Genesis seeks any alternative relief which will have the same or similar effect.	Accept in part, insofar as amendments are recommended in response to the wider suite of submission points from this submitter.
OS84.48	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Insert a new definition of "reverse sensitivity" (being the definition in the Waikato Regional Policy Statement) as follows:  <u>Reverse sensitivity means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.</u>	Accept, with the insertion of the proposed definition of the phrase 'reverse sensitivity', as inclusion of the definition will enhance the operation of the district plan.
OS84.49	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Add definition: <u>Renewable electricity generation means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.</u>	Accept. The inclusion of renewable electricity generation as a definition is consistent with the NPS-REG without having consequences elsewhere in the plan before it fully transitions to national planning standards format.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.50	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Add definition: <u>Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</u>	Reject. This definition has a much broader meaning within the proposed rule framework. Using this phrase in current framework would make provisions weaker i.e. permitted activities when they shouldn't. When the district plan is transitioned to national planning standards there will be a standalone energy chapter that can capture such activities in a more specific rule framework.
OS85.4	Sophie	Andrews		Ministry of Education	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	The impacts on infrastructure <u>(including additional infrastructure)</u> arising from subdivision and development are managed.	Reject, as the inclusion of the additional phrase sought by the submitter has an unclear meaning in a rural context, and does not provide clarity. The existing wording of 'infrastructure' is deliberately broad already given the range of infrastructure networks that exist.
OS85.5	Sophie	Andrews		Ministry of Education	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Seek amendment	The impacts on community <u>and additional</u> infrastructure arising from subdivision and development are managed.	Reject, as the existing phrase of 'community infrastructure' is considered adequate and adding the words 'additional infrastructure' does not enhance clarity of the provision in a rural context.
OS85.6	Sophie	Andrews		Ministry of Education	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Maintaining the established character: Maintain the established General Rural Environment character, as defined by: a) Large open spaces between built structures b) A mix of residential and rural industry <u>buildings and buildings containing education facilities.</u> c) Noises related to production activities during the day but low levels of noise at night d) Low levels of light spill. e) Infrequent vehicle movements to and from a site f) Limited signage that directly relates to the activity operating on the site	Reject, as the presence of 'buildings containing education facilities' is not considered a strong enough feature of the established character of the rural environment to warrant inclusion in the policy.
OS85.7	Sophie	Andrews		Ministry of Education	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Support	Character of the Rural Lifestyle Environment Manage the anticipated character of the Rural Lifestyle Environment as defined by: a)... e) An environment which includes residential activities, <u>education facilities</u> , rural productive activities and home business activities. f) ...	Reject, as the presence of 'buildings containing education facilities' is not considered a strong enough feature of the established character of the rural environment to warrant inclusion in the policy.
OS85.8	Sophie	Andrews		Ministry of Education	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	<u>Educational facilities in all rural zones</u> <u>Activity status: Restricted Discretionary</u> <u>The Council restricts the exercise of its discretion to the following matters:</u> <u>a. The effect on surrounding properties, rural character and amenity; and</u> <u>b. Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> <u>c. The effects associated with layout, design and location of the activity, including operating hours; and</u> <u>d. Parking, maneuvering and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> <u>e. Provision of on-site infrastructure; and</u> <u>f. Potential reverse sensitivity effects on any adjoining rural activities.</u>	Reject, as the submitter does not appear to have understood the 'effects-based' style of the district plan which does not generally assign an activity status to land use activities, but rather applies performance standards to all land use activities.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS87.1	Rodney	Dickinson			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Our property right opposite Palmer Mill Rd (607 State Highway 1) and are all 10 acre lifestyle blocks we should also be in the rural lifestyle plan.	Reject. This is contrary to the Waikato Regional Policy Statement regarding subdivision on the State Highway Network as a regionally significant infrastructure corridor.
OS88.1	Jocelyn	Reeve			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Oppose	This setback should be included in a restricted discretion because 25 metres is a long way into the OLA. For example, there could be the need to provide vehicle access for maintenance purposes.	Accept in part but with no amendment in response. The submitter is correct that a variety of circumstances with an OLA may arise, but the standard seeks to provide clarity with an easily understood distance for all buildings and all boundaries in an OLA given the greater sensitivity of such areas.
OS88.2	Jocelyn	Reeve			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Oppose	Stipulate the distance from neighbouring residences to be 200 meters otherwise the general setbacks as in I and ii apply.	Reject, as the submitter's rule could only apply to existing residences, whereas future dwellings could be 30 metres from the front boundary and 15 metres from other boundaries. For that reason, a setback does need to apply to the activity generating localised potential adverse effects which is the purpose of the notified rule.
OS88.3	Jocelyn	Reeve			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Oppose	Increase the permitted gross floor area.	Reject, as the submitter appears to be misunderstanding the purpose of the performance standard. This is not to prevent commercial and industrial (non-rural industry) premises exceeding 100 sq metres, but rather that any such premises should be evaluated through a resource consent process for suitability in a rural environment (rather than being a permitted activity) given the primary purpose of the zone is not to provide for such activities (as often they can be situated in an urban setting).
OS89.20	Ashley	Sycamore	Department of Conservation	Penny Nelson, Director-General of Conservation	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.7 Papakainga	Support	Retain as notified, unless iwi/hapu/whanau request specific changes.	Accept submission point in full.
OS90.2	Angela	Bell			Plan Change 42 - General Rural and Rural Lifestyle Environments	Oppose	Seeks that the proposed location as identified on the draft maps, objectives, policies, and rules related to subdivision and activities for both rural lifestyle that adjoins the General Rural Environment and does not join the General Rural Environment are deleted.	Reject, as the submission point and the relief sought is extremely broad. Plan Change 42 has sought to apply much greater protection to the rural environment within the General Rural Environment by strictly limiting rural residential subdivision and housing, and also by identifying the Rural Lifestyle Environment and establishing a more enabling framework for such development in those identified locations.
OS91.9	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	(a) the amendment of the definition for stock proof fence so that it reads: <b>Stock Proof Fence</b> - A 9 or 10 wire fence: <del>as described in Schedule 2.7 of the Fencing Act 1978.</del> <u>a substantial wire fence having 9 or 10 wires properly strained, with or without battens (droppers) or lacing affixed to the wires between the posts or standards; the posts or standards to be of durable timber, metal, or reinforced concrete, well and substantially erected, and not more than 5 m apart, the top wire not to be less than 1 m from the ground surface, the wires to be galvanised, and of 2.5 mm high tensile steel or 4 mm steel, or its equivalent, the space between the ground and the bottom wire not to exceed 100 mm, the 4 bottom wires to be not more than 130 mm apart.</u> (b) any consequential amendments required as a result of the relief sought.	Reject, as the Operative District Plan refers to definitions within legislation without repeating, and this is common practice around the country.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS91.10	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	(a) the inclusion of definitions in chapter 10 of the district plan for the terms 'highly productive land' and 'minor residential units; and (b) any consequential amendments required as a result of the relief sought.	Accept in part. Although "highly productive land" is not used within Plan Change 42 it is acknowledged that all parties have obligations to adhere to the NPS-HPL now. Council will go through a future process to update the ODP to respond more fully to NPS-HPL once Waikato Regional Council have completed the relevant mapping required for high class soils. Including the current definition ahead of this does not result in consequential amendments elsewhere in the ODP. Reject including the term 'minor residential unit' as this is stated within the applicable rules such as 4b.2.7.
OS91.11	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Support	(a) the retention of 3b.1 Introduction to the rural environment chapter or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS91.12	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	(a) the amendment of the objectives for chapter 3b Rural Environment so that they clearly state what is to be achieved, where the objective is to be achieved and when the objective will be achieved; and (b) the amendment of objective 3b.2.6 so that it reads as follows or with wording to similar effect: <b>Objective 3b.2.6 Impacts on essential infrastructure</b> The impacts on <i>essential</i> infrastructure arising from <i>inappropriate</i> subdivision, <i>use</i> and development are <i>managed avoided, remedied or mitigated where it is possible to do so.</i> (c) the insertion of a definition for 'essential infrastructure' into the district plan; and (d) any consequential amendments required as a result of the relief sought.	Reject, as the drafting intent for the objective was around ensuring that subdivision and development did not generate demand on existing infrastructure (roading primarily) provided by Council and the state highway network managed by Waka Kotahi, but could also apply in respect of the national grid and sub-transmission lines. Other amendments have been made in response to other submissions, and the submitters wording is not favoured as simply re-states Part 2 RMA wording.
OS91.13	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	(a) the amendment of the policies for chapter 3b Rural Environment so that they clearly state how the objective will be met by this policy, where in the region or district will the policy apply, what course of action is to be taken and when, and who is required to comply with the policy and who is to implement the policy; and (b) any consequential amendments required as a result of the relief sought.	Reject, as this is a very broad submission point with no clear relief being sought.
OS91.14	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Support	(a) the retention of objectives 3b.3.1 to 3b.3.8 as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS91.15	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Support	(a) the retention of policies 3b.3.9 to 3b.3.14 as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS91.16	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Support	(a) the retention of policies 3b.3.9 to 3b.3.14 as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS91.17	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Oppose	(a) the amendment of the required setback in performance standard 4b.2.6 (iv) from 200m to 25m from residential buildings and community facilities; and (b) any consequential amendments required as a result of the relief sought.	Reject, as within the General Rural Zone where ten hectare property size or larger is predominant, achieving a 200 metre set back for 'buildings for the management of farmed animals' is achievable, and also necessary and not considered overly onerous given that this form of building close to dwellings does result in cross-boundary issues and reverse sensitivity issues occurring. An exception for small buildings has been recommended in response to other submissions also provides some relief.
OS91.18	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3 General Rules - Rural Lifestyle Environment	Support	(a) the retention of general rules 4b.3.1 to 4b.3.7 as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS91.19	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4 Performance Standards - Rural Lifestyle Environment	Support	(a) the retention of performance standards 4b.4.1 to 4b.4.24 as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS91.20	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	(a) the amendment of rule 4b.5.1 to provide for all subdivision in the rural zone as a controlled activity provided certain performance standards are met; and (b) provide for the subdivision of rural land down to four hectares in size or relief with similar intent; and (c) the retention of the associated performance standards for this rule as currently drafted or with wording to similar effect; and (d) any consequential amendments required as a result of the relief sought.	Reject, as the purpose of Plan Change 42 is to address some issues with ongoing land fragmentation and sporadic rural residential development within the Rural Environment. This is being implemented primarily through the introduction of the General Rural Environment and the Lifestyle Rural Environment with differentiating performance standards for land use and minimum lots sizes for subdivision. Accepting the submitter's points would be closer to the Operative District Plan provisions that the plan change is seeking to address.
OS91.21	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	(a) the amendment of rule 4b.5.8 to allow for the creation of bonus lots in conjunction with outstanding natural landscapes or features and other similar areas; and (b) any consequential amendments required as a result of the relief sought.	Accept in part insofar the submitter is supporting the proposed rule. The submitter is correct that the bonus lot provision focuses on protection of land within an identified Significant Natural Area only. It does not extend to other sensitive parts of the district. The rule has been developed specifically for the context of being applied to an SNA with requirements for fencing and stock exclusion. Widening the provision as sought by the submitter would be a substantial piece of work which would require a new rule, and potentially policy, to be developed. Such a change is out of the scope of this plan change.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS91.23	Colin	Guyton	Federated Farmers of New Zealand – Rotorua / Taupō		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Support	(a) the retention of the proposed definition for papakainga as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.	Accept submission point in full.
OS92.1	Samuel	Gray			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend. 939 Tukairangi Rd to be included in Rural Lifestyle Environment instead of General Rural Environment.	Reject. This property is too large in size (56 Ha block) to be considered Rural Lifestyle.
OS93.24	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Amend the definition of <b>Rural Industry</b> as follows: <b>Rural Industry</b> – an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, and dairy farming and geothermal/electricity generation.  Insert a new definition of Renewable Electricity Generation as follows (being the same definition in the NPS-REG): <b>Renewable electricity generation</b> means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.	Accept in part. It is acknowledged that there is obligation to respond to the NPS-REG. Although these terms are not used within Plan Change 42 there is a future process for transitioning the ODP into national planning standards format where these terms will be included within their own 'Energy' chapter. Including the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.  However, other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards so therefore reject this part of the submission.
OS93.25	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Insert a new definition of Renewable electricity generation activities (being the same definition in the NPS-REG) as follows: <b>Renewable electricity generation activities</b> means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.	Reject. This definition has a much broader meaning within the proposed rule framework. Using this phrase in current framework would make provisions weaker i.e. permitted activities when they shouldn't. When the district plan is transitioned to national planning standards there will be a standalone energy chapter that can capture such activities in a more specific rule framework.
OS93.26	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	Amend the Introduction to Chapter 3b.1 as follows: <b>General Rural Environment</b> ...Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy sources and plantation forestry activities, with dispersed buildings and rural roads.... The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land and other natural resources within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for, yet allowing appropriate development to occur while preserving the rural character 'openness' of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, renewable electricity generation activities, and rural industry, meaning an activity being activities that directly supports, services, or is are dependent on primary production and/or have a locational or functional need to be within the General Rural Environment (rather than an urban environment).	Accept in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.26 cont	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<p><del>Primary production</del> - Activities in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust...</p> <p>The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production and/or have a <del>location</del> <u>functional or operational</u> need to be within the General Rural Environment....</p> <p><b>Rural Lifestyle Environment</b></p> <p>... By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production and other activities <del>predominating</del> in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the <del>open space characteristics</del> <u>rural character</u> and <del>the</del> productive potential of the rest of the Rural Environment, and to reduce the potential for land use conflict.</p> <p>... The Rural Lifestyle Environment areas are located <del>closer in proximity</del> to urban areas to allow for access to community facilities within the district's townships.</p>	Accept in full.
OS93.27	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.1 Enable Primary Production	Seek amendment	<p>Retain Objective 3b.2.1.</p> <p><b>Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources</b></p> <p>Primary production <del>and the use of natural resources are</del> is enabled by protecting the availability of the rural land <del>and other resources</del> and <del>its</del> <u>their</u> productive capability.</p>	Accept, as the broadening of the objective beyond a focus on primary production is supported, given the importance of energy and other rural industries.
OS93.28	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.2 Maintaining the established General Rural character	Oppose	<p>Amend Objective 3b.2.2 to read:</p> <p><b>Objective 3b.2.2 Maintaining the established General Rural character</b></p> <p><del>The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided.</del></p> <p><u>Enable a range of activities in the General Rural Environment that are compatible with rural character.</u></p>	Reject. The purpose of the objective is about protecting the rural environment from subdivision thereby maintaining the established character as it is now i.e. not making it worse. The objective also achieves retaining rural productivity and therefore the proposed amendment does not add to the current wording.
OS93.29	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	<p>Retain Objective 3b.2.3.</p> <p>Inset a new objective following Objective 3b.2.3 as follows:</p> <p><b>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</b></p> <p><u>Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.</u></p>	Reject. Renewable electricity related objectives and policies are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.30	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Amend Objective 3b.2.4 as follows: <b>Objective 3b.2.4 Other activities</b> Maori cultural activities, tourism activities, and visitor accommodation and renewable electricity generation and transmission activities are enabled in <u>appropriate locations within the</u> General Rural Environment.	Reject submission in full. 'Appropriate locations' is not sufficiently clear and has potential to have a contested meaning. The current objective wording provides a clear list of current activities in rural locations. Council have controls in place to review visitor accommodation through restricted discretionary provisions.
OS93.31	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Seek amendment	Amend Objective 3b.2.5 as follows: <b>Objective 3b.2.5 Avoidance of reverse sensitivity</b> Reverse sensitivity effects on permitted, and legally established, and/or consented activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.	Accept, as "and/or consented" provides for consented activities that are not yet built.
OS93.32	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	Amend Objective 3b.2.6 as follows: <b>Objective 3b.2.6 Impacts on infrastructure</b> The impacts on infrastructure arising from subdivision and development are <u>managed do not compromise the safe and efficient functioning of infrastructure.</u>	Accept proposed amendment as it strengthens the objective.
OS93.33	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Oppose	Amend Policy 3b.2.9 as follows: <b>Policy 3b.2.9 Maintaining the established Rural character</b> Enable activities in the <del>Maintain the established</del> General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: a) <u>Extensive pastoral farming and forestry</u> b) <u>Renewable electricity generation activities</u> c) <u>Geothermal areas and activities, electricity transmission and distribution</u> ad) ... e) <del>Noises related to production activities during the day but low levels of noise at night</del> d) <u>Low levels of light spill</u> f) <u>Effects from activities including noise, vibration, dust, odour and visual effects</u> e) <del>Infrequent vehicle movements to and from a site</del> fg)...	Reject. The proposed amendments are too specific when policy was aimed at being more broad, setting out general features of the rural environment not specific activities.  When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.
OS93.34	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Seek amendment	Amend Policy 3b.2.10 as follows: <b>Policy 3b.2.10 Residential units</b> Avoid the cumulative effects of rural lifestyle development by <u>providing for these activities within the Rural Lifestyle Environment and otherwise</u> limiting residential units <u>within the General Rural Environment</u> that: a) ... c) Erode the general rural character through its density, scale and location: d) <u>Result in the potential to generate reverse sensitivity effects.</u> e) <u>Constrain the ability to access or utilise renewable energy resources.</u>	Accept in part. The additional wording has a sharper focus and strengthens what PC42 is trying to achieve through the policy.  However, reject the inclusion/amendments clauses d) and e). Clause d) is already provided for in the reverse sensitivity Policy 3b.2.13 and clause e) doesn't need to be provided across whole plan.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.35	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.12 Minor residential unit	Seek amendment	Amend Policy 3b.2.12 as follows: <b>Policy 3b.2.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised <u>and to avoid the potential for reverse sensitivity effects.</u>	Reject. There's a specific reverse sensitivity Policy 3b.2.13 that does not need to be duplicated.
OS93.36	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Seek amendment	Amend Policy 3b.2.13 as follows: <b>Policy 3b.2.13 Avoiding reverse sensitivity</b> Any <del>adverse effects generated by a new sensitive</del> activity must be managed <del>within the allotment</del> so as to avoid <del>adversely affecting reverse sensitivity effects on permitted, and lawfully established</del> <u>and/or consented</u> neighbouring activities.	Accept in part. Accept "and/or consented" only as this provides for consented activities not yet built.  However, reject the suggested amendments on 'sensitive activities' as this needs to be kept more general for Council to assess on case by case basis.
OS93.37	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Seek amendment	Amend Policy 3b.2.14 as follows: <b>Policy 3b.2.14 Commercial and industrial activity</b> Limit the scale of commercial and industrial activity <u>(excluding renewable electricity generation activities)</u> to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production <u>and other activities provided for</u> within the General Rural Environment.	Reject. This policy does not apply to renewable electricity generation activities as it is not covered in rural industry definition. When Council transition the ODP into national planning standards format there will be an Energy chapter where specifics on energy such as this can be provided. The General Rural Environment is not the appropriate place to include this.
OS93.38	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain Policy 3b.2.15.	Accept submission point in full.
OS93.39	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Oppose	Delete Objective 3b.3.1 and replace it with the following: <b>Objective 3b.3.1 Enable Rural Residential Activities</b> <u>Zone parts of the Rural Environment as Rural Lifestyle Environment to enable and provide for rural residential activities in appropriate locations where they will not give rise to reverse sensitivity effects on the surrounding General Rural Environment or Industrial Environments.</u>	Accept in part. The wording of the objective has been updated to replace the word "incremental" with the word "inappropriate" as this allows for Rural Lifestyle subdivision but does not encourage residential zoning density. The word "enabling" implies the encouragement of development when it is intended to keep rural development where it currently is.
OS93.40	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Seek amendment	Amend Objective 3b.3.2 as follows: <b>Objective 3b.3.2 Avoid reverse sensitivity</b> Adverse reverse sensitivity effects, <del>including conflict with</del> on permitted, <u>and</u> legally established <u>and/or consented</u> activities in neighbouring Environments, are avoided.	Accept in part. Council reject the suggested amendment on 'including conflict with' as this needs to be kept more general for Council to assess on case by case basis. However accept the remainder of amendments as this provides for consented activities that are not yet built.
OS93.41	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Seek amendment	Amend Objective 3b.3.3 as follows: <b>Objective 3b.3.3 Commercial and industrial activities</b> The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the <u>Rural Lifestyle Environment</u> are avoided.	Accept amendment as proposed.
OS93.42	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.4 Consolidate rural lifestyle activities	Support	Retain Objective 3b.3.4.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.43	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Oppose	Amend Objective 3b.3.6 as follows: <b>Objective 3b.2.6 Impacts on community infrastructure</b> The impacts on community infrastructure arising from subdivision and development are managed do not compromise the safe and efficient functioning of infrastructure.	Reject submission in full. Community infrastructure is a specific definition used from wider ODP and for reason as it specifies Council-operated infrastructure. This objective doesn't need to get broadened as wider infrastructure is protected for anyway.
OS93.44	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Seek amendment	Add a new point i) to Policy 3b.3.9 as follows: <u>i) An environment that is surrounded by a working rural environment including rural production, geothermal areas and renewable electricity generation activities.</u>	Accept in part. Amendment accepted fully, with addition of "steamfields" added for clarification through submission point 84.30
OS93.45	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.10 Lot sizes and setbacks for allotments adjoining the General Rural Environment	Support	Retain Policy 3b.3.10.	Accept submission point in full.
OS93.46	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.12 Minor residential unit	Seek amendment	Amend Policy 3b.3.12 as follows: <b>Policy 3b.3.12 Minor residential unit</b> Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to further protect the character of the rural Lifestyle Environment- <u>and to avoid reverse sensitivity effects.</u>	Reject. There's a specific reverse sensitivity Policy 3b.3.2 that does not need to be duplicated.
OS93.47	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain Rule 4b.1.1.	Accept submission point in full.
OS93.48	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Support	Amend Rule 4b.1.2 as follows: i.... f. The ability to <del>mitigate</del> <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, <del>and</del> alternative design, <u>and/or other means including restrictive covenants.</u> ... i. <u>The potential to constrain access to and/or the utilisation of renewable energy sources.</u>	Accept in part. By adding in 'avoid' for reverse sensitivity effects, the meaning would become 'avoid' all types of adverse effects which is not the intention. Including the use of restrictive covenants is not considered necessary to define here.  Accept the addition of clause i).
OS93.49	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.3 Temporary Activities	Support	Retain Rule 4b.1.3.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.50	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Support	Amend Rule 4b.1.4 as follows: <b>4b.1.4 Electricity Generation Core Sites, Renewable <del>Electricity</del> Energy Generation Activities and Geothermal <del>Areas</del> Steamfields</b> i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal <del>areas</del> <u>steamfields</u> , renewable <del>energy</del> <u>electricity</u> generation activities and associated structures <del>and ancillary activities</del> is a <b>permitted activity</b> . ii. <del>Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators are a permitted activity.</del> NOTE: For the purpose of this rule "maintenance" means: All activities associated with the protective care, and monitoring of a hydro dam, a geothermal or hydroelectric power station, <del>geothermal steamfields and associated structures, in order to monitor, test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of all associated structures</del> and includes maintenance of surrounds and water areas.	Accept in part. To be consistent with Plan Change 38, replace 'energy' with 'electricity' as per proposed amendment.  However reject the proposed deletion as these terms are specifically defined. Also reject the addition of "and ancillary activities" and clause ii) as these are too wide and broad. When Council transition the ODP into national planning standards format there will be an Energy chapter where energy related ancillary activities will be provided for.
OS93.50 cont	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.4 Electricity Generation Core Sites, Renewable Energy Generation Activities and Geothermal Steamfields	Support	NOTE: For the purpose of this rule "minor upgrading" means: Structural improvement, repair and replacement <u>or upgrade of components, or activities required for the continued safe and efficient operation</u> including worn or technically deficient parts of <u>any structure including</u> the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures <del>of similar character and scale, and includes associated drilling, vehicles, infrastructure, machinery, testing, monitoring, earthworks and vegetation removal.</del> Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures <del>up to 100m2 in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m2 in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.</del>	Accept in part. Accept proposed amendments apart from the submitter's wording "any structure including" as this is too wide and broad, potentially allowing for activities it should not.
OS93.51	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Seek amendment	Amend Rule 4b.1.5 as follows: ... When considering activities under Rule 4b.1.5ii Council restricts the exercise of its discretion to the following matters: ... c. The effect of the activity on surrounding land uses <u>(including reverse sensitivity effects)</u> and how these effects can be managed onsite and/or mitigated....	Accept amendments as proposed.
OS93.52	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Support	Amend Rule 4b.1.7 as follows: <b>4b.1.7 Buildings and Structures in proximity to High voltage transmission lines</b> i. Any building <u>or structure</u> (except network utilities <u>and Renewable Electricity Generation Activities</u> ) located within 0 – 12 meters of a high-voltage transmission line is a <b>restricted discretionary activity</b> .	Reject. Structures are covered within the definition of building and the term "renewable electricity generation activities" is too broad.
OS93.53	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Support	Retain Rule 4b.1.8 but amend the first exception to the rule as follows: EXCEPTION: This rule will not apply to the erection of structures: a. <u>Associated with existing renewable electricity generation activities including <del>W</del>within</u> Electricity Generation Core Sites. b. ...	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.54	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.9 Earthworks within Outstanding Landscape Areas	Support	Retain 4b.1.9 but amend the exception as follows: EXCEPTION: This rule will not apply to Earthworks <u>associated with existing and/or consented renewable electricity generation activities including</u> within Electricity Generation Core Sites.	Reject, as by including the word 'including' as sought by the submitter the meaning is altered significantly. Renewable electricity core sites are geographically defined whereas a phrase like 'renewable electricity generation activities' would not be and could apply widely across the district. This would have the effect of creating a broad exception and is not supported.
OS93.55	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Retain 4b.2.1 but amend the exception as follows: EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations <u>or existing and consented renewable electricity generation activities.</u>	Reject, as expanding the exemption to also include 'renewable electricity generation activities' could apply widely across the district as it would not be geographically defined (unlike a phrase like 'renewable electricity core sites'). This would have the effect of creating a much wider exception than was intended and is not supported.
OS93.56	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Seek amendment	Amend Rule 4b.2.5 as follows: <b>4b.2.5 Maximum building height</b>  ... iv. 15 meters for <u>renewable Electricity Generation activities</u> on land identified as a Geothermal Area in Section O <u>within an Electricity Generation Core Site.</u> EXCEPTIONS: · <u>activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts – no height limit</u> · ... · Drilling Rigs for up to 60 days per well <del>allotment</del> – no height limit.	Accept in part. Accepting all amendments apart from the deletion of "with an electricity generation core site".
OS93.57	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend Rule 4b.2.6 as follows: <b>4b.2.6 Minimum building setbacks</b> i.... v. There shall be no front boundary setback for buildings and activities associated with <del>Electricity Generation and Renewable Energy</del> <u>Electricity Generation Activities</u> on land identified as Geothermal Area in Section O <del>within an Electricity Generation Core Site</del> where the road extends over any power generation Building or Structure. vi. There shall be no boundary setback for buildings and activities associated with <u>Renewable Electricity Generation Activities</u> on land identified as Geothermal Area in Section O <u>including</u> within an Electricity Generation Core Site...	Reject, the proposed wording extends to all electricity generation activities that are not geographically defined. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which clarify this matter.
OS93.58	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Seek amendment	Amend Rule 4b.2.7 as follows: <b>4b.2.7 Minor residential units</b> ... i. All minor residential <u>units</u> or accommodation activity units shall: a. ... c. <u>Be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area....</u>	Accept in part. Accept the word "unit" but reject the inclusion of clause c) as it is too prescriptive. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which cover this matter. As an alternative set of relief to address the matter but with increased certainty for landowner, an additional exception is recommended within 4b.2.7 that "Within allotments located within Area X or Area Y on Planning Map D3, that any minor residential unit shall be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area."

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.59	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amend Rule 4b.2.8 as follows: <b>4b.2.8 Commercial and industrial activities, and home businesses</b> i. ... iii. <u>Home businesses shall be located no closer than the existing primary residential unit on the same site to a Consent Area which is the subject of resource consents issued by the Waikato Regional Council for the take or discharge of geothermal fluid exceeding 1,000 tonnes per day provided that this clause shall not apply to properties more that 300m away from any aforementioned Consent Area....</u>	Reject. The inclusion of clause iii) as is too prescriptive. When the district plan transitions into national planning standards format the new Energy chapter will include provisions which cover this matter.
OS93.60	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Support	Retain	Accept submission point in part, insofar as some minor wording amendments are recommended to the suite of noise provisions in response to acoustic technical advice.
OS93.61	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.10 Maximum Noise - Construction Noise	Support	Retain	Accept submission point in part, insofar as some minor wording amendments are recommended to the suite of noise provisions in response to acoustic technical advice.
OS93.62	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.11 Maximum Noise - Electricity Generation Core Sites	Support	Retain	Accept submission point in part, insofar as some minor wording amendments are recommended to the suite of noise provisions in response to acoustic technical advice.
OS93.63	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.12 Maximum Noise - Well Drilling and Testing	Support	Retain	Accept submission point in part, insofar as some minor wording amendments are recommended to the suite of noise provisions in response to acoustic technical advice.
OS93.64	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.13 Maximum Noise - Other	Seek amendment	Amend Rule 4b.2.13 as follows: <b>4b.2.13 Maximum Noise – Other</b> ... ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, <u>bursting discs, emergency or upset operating conditions</u> and hydro spills associated with the operation of <u>Renewable</u> Electricity Generation <u>Activities Core-sites</u> . Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.	Accept, with the amendments proposed by the submitter, as the additional wording is a useful amendment for clarity. The exception to this is to reject the amendment that widens the applicability of the rule to 'Renewable Electricity Generation Activities' rather than solely the 'core sites' as the statutory effect of that change would be significant.
OS93.65	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.14 Parking, Loading and Access	Oppose	Delete Rule 4b.2.14.	Accept in part, as whilst the submitter is correct that NPS-UD resulted in minimum car parking requirements being removed from district plans, that district plans still typically contain requirements regarding loading spaces, spaces for disabled persons and minimum dimensions for any parking spaces that are provided. Retaining 4b.2.14 which is a cross-reference only is not considered contrary to the NPS-UD requirements.
OS93.66	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Support	Retain Rule 4b.2.15.	Accept submission point in full.
OS93.67	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Support	Retain Rule 4b.5.1 subject to an additional matter of control as set out in Rule 4b.5.3.	Accept, as the inclusion of the additional assessment matter provides a useful addition to the set of assessment matters with a focus on the functioning of the Rural Environment and activities within it.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.68	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Support	Retain Rule 4b.5.2 subject to an additional matter of control as set out in Rule 4b.5.3.	Accept, as the inclusion of the additional assessment matter provides a useful addition to the set of assessment matters with a focus on the functioning of the Rural Environment and activities within it.
OS93.69	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	Amend Rule 4b.5.3 as follows: ... <b>For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:</b> ... i) <u>Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.</u>	Accept, as the inclusion of the additional assessment matter provides a useful addition to the set of assessment matters with a focus on the functioning of the Rural Environment and activities within it.
OS93.70	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.4 Subdivision - Default Activity Status	Support	Retain Rule 4b.5.4.	Accept submission point in full.
OS93.71	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.5 Subdivision resulting in a new public road, or extension of existing public road	Support	Retain Rule 4b.5.5.	Accept submission point in full.
OS93.72	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.6 Subdivision - Other	Support	Retain Rule 4b.5.6	Accept submission point in full.
OS93.73	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.7 Subdivision - Outstanding Landscape Areas	Support	Retain Rule 4b.5.7.	Accept submission point in full.
OS93.74	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Support	Retain Rule 4b.5.8.	Accept submission point in full.
OS93.75	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.9 Subdivision - More than 12 allotments	Support	Retain Rule 4b.5.9.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.76	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete the proposed Rural Lifestyle Environment on Centennial Drive and retain the current Rural Environment (General Rural Environment). <b>View full submission bundle for map.</b>	Accept in part. The location should not be removed from Rural Lifestyle Environment, however there is a need to recognise the importance of the need to avoid further rural residential intensification in this location, given proximity to the to the geothermal field and electricity generation infrastructure, to the motorsports park and the Industrial Environment. Amendments are recommended in response to restrict minor residential units, and to strengthen the policy framework as it applies to this locality.
OS93.78	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Insert a new definition of reverse sensitivity (being the definition in the Waikato RPS) as follows: <u>Reverse sensitivity is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Accept, with the insertion of the proposed definition of the phrase 'reverse sensitivity', as inclusion of the definition will enhance the operation of the district plan.
OS93.79	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete the parts of the proposed Rural Lifestyle Environment at 146, 122, 104 Oruanui Road, and retain the current Rural Environment (General Rural Environment).	Accept in part. Further subdivision of these properties is limited by rules 4b.5.6 iv and v, and the PC42 analysis identified the properties as part of the wider Oruanui Road Rural Lifestyle Environment. Any subdivision of land would be either a discretionary or non-complying activity. The assessment matters include matters of control identified in rules 4b.5.3 and 4b.5.5, and in response to other submission points this includes a recommended matter of discretion i) 'any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources'. This is considered effective in addressing the submitter's concern.
OS93.80	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete the part of the proposed Rural Lifestyle Environment at 2 Caroline Drive, which extends along SH5. <b>View full submission for map.</b>	Accept, as on the basis of the additional material provided by the submitter, it is agreed that this area is unsuitable for inclusion within the Rural Lifestyle Environment. This is due to absence of any existing rural lifestyle development, and being within the Tauhara Geothermal field.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS93.81	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Delete the parts of the proposed Rural Lifestyle Environment at 21, 41, 61, 194 and 196 and Tukairangi Road and 437 Poihipi Road and retain the current Rural Environment (General Rural Environment).	Accept in part. Further subdivision of these properties is limited by rules 4b.5.6 iv and v, and the PC42 analysis identified the properties as part of the wider Tukairangi Road and Poihipi Road Rural Lifestyle Environment. Any subdivision of land would be either a discretionary or non-complying activity. The assessment matters include matters of control identified in rules 4b.5.3 and 4b.5.5, and in response to other submission points this includes a recommended matter of discretion i) 'any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources'. This is considered effective in addressing the submitter's concern.
OS94.1	Lyndon	Haugh			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Please modify the proposed Rural Lifestyle zone to include 605 State Highway1.	Reject. This is contrary to the RPS regarding subdivision on the State Highway Network.
OS96.8	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	That the proposed objective and policy are retained, and amended as follows; <u>New Objective: Protect historic heritage from the effects of subdivision, use and development.</u> <u>New Policy: Ensure subdivision, use and development are designed to avoid historic heritage and that any historic heritage is retained within one lot.</u>	Accept in part, as whilst historic heritage is a section 6 RMA matter of national importance, heritage is managed within a district-wide chapter of the operative district plan, and also the response to this submission request will primarily be via the transition to national planning standards, within the 'Historical and Cultural Values' chapter.
OS96.9	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	That the proposed objective and policy are retained, and amended as follows; <u>New Objective: Protect historic heritage from the effects of subdivision, use and development.</u> <u>New Policy: Ensure subdivision, use and development are designed to avoid historic heritage and that any historic heritage is retained within one lot.</u>	Accept in part, as whilst historic heritage is a section 6 RMA matter of national importance, heritage is managed within a district-wide chapter of the operative district plan, and also the response to this submission request will primarily be via the transition to national planning standards, within the 'Historical and Cultural Values' chapter.
OS96.10	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3 General Rules - Rural Lifestyle Environment	Support	That a rule and assessment framework is developed in relation to earthworks activities, that includes assessment criteria related to the impacts on cultural and historic heritage sites, including archaeological sites.	Reject, as it was determined during Plan Change 42 formulation that earthworks in the district's rural areas are well managed by the Waikato Regional Plan rules, and that district plan rules on earthworks and land modification was unnecessary. Whilst the submitter's point regarding heritage is acknowledged, this needs to be preceded by a study on heritage values and sites of significance within the district's rural area, to avoid such earthworks rules applying everywhere in the Rural Environment, which would be poorly targeted and ineffective.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS96.11	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Support	That the matters of assessment, in particular e): "Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan" are retained.	Accept in part. As above, management of historic values is dealt with in the Operative District Plan within a district-wide section, and in the future national planning standards district plan format there will be an 'Historical and Cultural Values' section. It is also not within the scope of Plan Change 42 to introduce heritage provisions as sought by the submitter.
OS96.12	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Support	That the matters of assessment, in particular e): "Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan" are retained.	Accept in part. As above, management of historic values is dealt with in the Operative District Plan within a district-wide section, and in the future national planning standards district plan format there will be an 'Historical and Cultural Values' section. It is also not within the scope of Plan Change 42 to introduce heritage provisions as sought by the submitter.
OS96.13	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Support	That the matters of assessment, in particular e): "Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan" are retained.	Accept in part. As above, management of historic values is dealt with in the Operative District Plan within a district-wide section, and in the future national planning standards district plan format there will be an 'Historical and Cultural Values' section. It is also not within the scope of Plan Change 42 to introduce heritage provisions as sought by the submitter.
OS96.14	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	That the bonus lot provisions are amended to include the protection of cultural or historic heritage, or the provision of access to Maori land, as a reason to grant a bonus lot.	Reject, as whilst there may be merit to doing this in a future review, the current bonus lot provision is formulated solely to protect Significant Natural Areas. The rule has been developed to protect areas of natural value in line with the creation of similar sized lots in the wider General Rural Environment. This topic can be addressed more fully in the future 'historical and cultural values' chapter which is to be introduced into the TDP under wider plan review process. Note that subdivision for the purposes of creating access is considered as a discretionary activity.
OS96.15	Carolyn	McAlley	Heritage New Zealand Pouhere Taonga		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Support	That the matters of assessment, in particular m): "Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan" are retained.	Accept submission in full, no amendment
OS97.1	Mark	Chrisp	Mitchell Daysh Limited	Popeye Development Limited, Taupo Motorsport Park (NZ) Limited trading as Taupo International Motorsport Park and Events Centre (collectively the "Companies")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete the proposed Rural Lifestyle Environment at Centennial Drive and retain the current Rural Environment (General Rural Environment) zoning. <b>View full submission for map.</b>	Accept in part, insofar as it is not agreed that the deletion of the proposed Rural Lifestyle Environment at Centennial Drive (and retention of the current Rural Environment) is appropriate, given the existing rural lifestyle development that exists. Amendments are recommended to the land use provisions that apply, particularly to restrict any further minor residential units, and it is noted that further subdivision is not possible given existing lot sizes.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS99.1	Mark	Chrisp	Mitchell Daysh Limited	Taupo Racing Club Inc. ("TRC")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	Delete the proposed Rural Lifestyle Environment on Centennial Drive and retain the current Rural Environment (General Rural Environment) zoning. <b>View full submission for map.</b>	Accept in part, insofar as Council does not agree that deletion of the proposed Rural Lifestyle Environment at Centennial Drive (and retention of the current Rural Environment) is appropriate, given the existing rural lifestyle development that exists. Amendments are recommended to the land use provisions that apply, particularly to restrict any further minor residential units, and it is noted that further subdivision is not possible given existing lot sizes.
OS100.1	Mark	Westbrook			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks to be able to subdivide property at 390 Centennial Drive into smaller blocks.	Reject. These blocks mostly border the general rural environment, the majority are already less than 4ha.
OS101.6	Jane	Penton		LWAG	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	LWAG ask that Rural Lifestyle subdivision be limited to the periphery of existing urban areas, not those identified in the Rural areas.	Reject. This would involve fragmentation of productive land areas. Note the proposed areas are already Rural Lifestyle environment in character.
OS101.7	Jane	Penton		LWAG	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Support	LWAG request consideration be given to natural gully systems in the General Rural Environment and proposed Rural Lifestyle Zone including general protection, restricted land use in close proximity to , restricted or controlled access, vegetation enhancement and management, erosion control.	Accept in part, as the gully areas within the district's rural environment do in places contain biodiversity, are an important part of the landscape and do perform an important role in stormwater management. Plan Change 42 has a two hectare minimum lot size for the Rural Lifestyle Environment. This is low intensity rural lifestyle development given the land use provisions allow for a single dwelling per allotment, allowing low levels of development pressure on the rural gully areas.
OS101.8	Jane	Penton		LWAG	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Seek amendment	LWAG request consideration be given to natural gully systems in the General Rural Environment and proposed Rural Lifestyle Zone including provisions for general protection, restricted land use in close proximity to , restricted or controlled access, vegetation enhancement and management, erosion control. LWAG ask that the provisions ensure that the N restrictions apply to land use in the rural lifestyle zone.	Accept in part, as the gully areas within the district's rural environment do in places contain biodiversity, are an important part of the landscape and do perform an important role in stormwater management. Plan Change 42 has a two hectare minimum lot size for the Rural Lifestyle Environment. This is low intensity rural lifestyle development given the land use provisions allow for a single dwelling per allotment, allowing low levels of development pressure on the rural gully areas. The nitrogen restrictions are imposed via the Waikato Regional Plan with no change to that regime by Plan Change 42.
OS102.1	Adair	Jeffries			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Oppose	Amend 4B 5.2.	Reject, as a primary purpose of Plan Change 42 is to avoid incremental rural residential subdivision within the rural environment, and to direct such development to within the Rural Lifestyle Environment. Even within the Rural Lifestyle Environment subdivision is to be controlled with the minimum lots sizes within Rule 4b.5.2, with a particular focus on properties adjoining the General Rural Zone such as the submitter's property.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS102.2	Adair	Jeffries			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Support	Retain	Accept submission point in full.
OS103.1	Robert	Marshall	Horizons Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Seek the inclusion of an advice note highlighting for plan users that within the Horizons Region, resource consent will also be required for most activities carried out within areas of indigenous biodiversity, and requesting they contact Horizons.	Reject. Taupo District sits within four Regions and therefore does seek to direct enquiries to the relevant regional council where an overlap between district and regional jurisdiction. However, inclusion of advisory notes potentially throughout the district plan in respect of four regional councils and the provisions of the regional plans is not considered practicable.
OS103.2	Robert	Marshall	Horizons Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter requests Taupo District Council consider amending the proposed provisions as they apply to the area within the Horizons Region to recognise and give effect to the strong direction set out in One Plan Policy 6-6.	Reject. Taupo District sits within four Regions. The TDP maps manages Outstanding Landscapes in accordance with the Waikato Regional Plan. It would be unnecessarily complicated to reference four regional plans in relation to Natural Values.
OS103.3	Robert	Marshall	Horizons Regional Council		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Horizons seeks the relief set out in its submission above, or any further, alternative or consequential relief that achieves the outcomes sought.	Reject. Taupo District sits within four Regions. The TDP maps manages Outstanding Landscapes in accordance with the Waikato Regional Plan. It would be unnecessarily complicated to reference four regional plans in relation to Natural Values.
OS105.1				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Amend as follows: Objective 3b.2.4 Other activities Maori cultural activities, tourism activities, visitor accommodation, <u>emergency service facilities</u> , and renewable electricity generation and transmission activities are enabled in the General Rural Environment.	Reject, as the presence of fire stations is not currently a strong feature of the district's rural environment, and whilst important from a community safety perspective, is unlikely to become a significant presence in the General Rural Environment in the future. Accordingly, there is no need to elevate this activity with explicit recognition within the objective ahead of a multitude of other land use activities that might similarly want greater recognition.
OS105.2				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Seek amendment	Amend Policy 3b.2.9 Maintaining the established character as follows: Maintain the established General Rural Environment character, as defined by: ..... x. Activities with an operational or functional need to locate in the General Rural Environment	Reject, as the purpose of the policy is to describe the core characteristics of the established character of the General Rural Environment, whereas the submitter's amendment is focused on suitability criteria for a land use activity which is covered in other policies.
OS105.3				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	The submitter seeks a new policy as follows: Policy X on-site servicing <u>Require properties to manage its services on-site in terms of the provision of potable water, a firefighting water supply, and the disposal of stormwater and wastewater.</u>	Reject, as being entirely unnecessary. There are no Council reticulated water networks within the General Rural Environment. This need not be stated further in an additional policy.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS105.4				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	The submitter seeks a new objective as follows: <u>Objective X Infrastructure</u> <u>Public health and safety are maintained through the appropriate provision of infrastructure through either reticulated or onsite means</u>	Reject, as Objective 3b.2.6 Impacts on Infrastructure already covers the subject matter that the submitter is referring to, and an additional objective does not enhance the provisions.
OS105.5				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.3 Objectives and Policies - Rural Lifestyle Environment	Seek amendment	The submitter seeks to amend as follows: Policy 3b.3.11 On-site servicing: Require properties to manage its services on-site in terms of the provision of potable water, <u>a firefighting water supply</u> and the disposal of stormwater and wastewater.	Accept in part, as a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024. Currently the Rural Environments chapter does not make explicit recognition of fire-fighting water supply, as this is something currently addressed through engineering codes of practice, the subdivision consent process and the Building Act. No amendment to provisions is recommended in response given this matter requires a more comprehensive district plan-wide response.
OS105.6				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Support	No Amendment sought.	Accept submission point in full.
OS105.7				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Seek amendment	Add a new matter of discretion as follows: <u>x. An adequate firefighting water supply is provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	Reject, as the amendments sought by the submitter to a matter of discretion to 4b.1.2 and 4b.1.5, would only apply where a restricted discretionary consent was required (as otherwise a permitted activity), and the relevant performance standards relate to the scale of the activity and not water supply matters.
OS105.8				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.6 Papakainga	Support	Retain, subject to relief sought regarding performance standards.	Accept submission point in full.
OS105.9				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Seek amendment	The submitter seeks to add a new matter of discretion as follows: x. An adequate firefighting water supply is provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008	Reject, as the purpose of the provision is to manage scale and appearance of buildings within an outstanding landscape area as a section 6 RMA matter, and adding a matter of discretion regarding fire-fighting water supply is not appropriate.
OS105.10				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Seek amendment	The submitter seeks to amend as follows: 4b.1.10 Intensive indoor primary production and rural industry i. An intensive indoor primary production or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3 and <del>4b.2.5</del> , 4b.2.X and 4b.2.X is a permitted activity. Add a new matter of discretion as follows: <u>x. An adequate firefighting water supply is provided in accordance with NZS 4404:2012 and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008</u>	Reject, as the additional matter of discretion sought by the submitter to 4b.1.10, would only apply where a restricted discretionary consent was required (as otherwise a permitted activity), and the relevant performance standards relate to the scale of the activity and not water supply matters.
OS105.11				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Seek amendment	The submitter seeks a new rule as follows: 4b.1.X Emergency Service Facilities An emergency service facility which complies with the performance standards is a permitted activity.	Reject, as the submitter does not appear to have understood the 'effects-based' style of the district plan which does not generally assign an activity status to land use activities, but rather applies performance standards to all land use activities. Specific rules are only applied to land use activities such as rural industry that are highly prevalent in the rural environment of the district.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS105.12				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Oppose	Amend as follows: 4b.2.2 Maximum building coverage i. 10% of the total allotment area <u>Exception: Emergency Service facilities</u>	Reject, as with the exception proposed by the submitter an emergency service facility would be a permitted activity given the absence of activity lists with specific activity status assigned to individual land use activities. The maximum building coverage standard operates as an important consent trigger for land use activities involving large buildings and/or substantial scale of activities.
OS105.13				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.5 Maximum building height	Seek amendment	Amend as follows: <u>Exceptions: emergency service facilities up to 9m in height and hose drying towers up to 15m in height.</u>	Reject, as with maximum building coverage the performance standards act as consent triggers for land use activities that would otherwise be a permitted activity. This outcome for non-rural land use activities would be contrary to the objectives and policies for the rural environment. Council would want to require a restricted discretionary activity resource consent for land use activities such as emergency service facilities in the rural environment.
OS105.14				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.6 Minimum building setbacks	Seek amendment	Amend as follows: 4b.2.6 Minimum building setbacks v. There shall be no front boundary setbacks for buildings and activities associated with... <u>emergency service facilities</u> vi. There shall be no boundary setback for buildings and activities associated with ... <u>emergency service facilities</u>	Reject, as with maximum building coverage and maximum building height, the performance standards act as consent triggers for land use activities that would otherwise be a permitted activity. This outcome for non-rural land use activities would be contrary to the objectives and policies for the rural environment. Council would want to require a restricted discretionary activity resource consent for land use activities such as emergency service facilities in the rural environment.
OS105.15				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Seek amendment	The submitter seeks to introduce a new standard as follows: 4b.2.X Servicing 1. Where a connection to a reticulated water supply is available, all developments must be provided with a water supply, including a firefighting water supply, and access to that supply 2. Where a connection to a reticulated water supply is unavailable, or where an additional level of service is required that exceeds the level provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory water supply, including a firefighting water supply and access to that supply, can be provided to each lot. Further advice and information about how sufficient firefighting water supply, and access to that supply, can be provided can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008	Accept in part, as a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024. There are no reticulated water networks within the rural environment of the district, and currently the Rural Environments chapter does not make explicit recognition of fire-fighting water supply, as this is something currently addressed through engineering codes of practice, the subdivision consent process and the Building Act. No amendment to provisions is recommended in response given this matter requires a more comprehensive district plan-wide response, but the submitter is invited to engage with Council on this matter.
OS105.16				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	Introduce a new standard as follows: <u>4b.2.X Firefighting access</u> <u>1. Any access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 50 metres when connected to a road that has a fully reticulated water supply system including hydrants, must be designed to accommodate a fire appliance design of at least 2.5 metres wide and 13 metres long and with a minimum gross mass of 25 tonne including:</u> <u>a. A gradient of no more than 16%; and</u> <u>b. A minimum clear passageway and/or vehicle crossing of at least 3.5m metres width at the site entrance, internal entrances; and between buildings; and</u> <u>c. A minimum formed carriageway width of 4 metres; and</u> <u>d. A height clearance of at least 4 metres; and</u> <u>e. A design that is free of obstacles that could hinder access for emergency service vehicles</u>	Reject, as this standard is not considered appropriate for a rural environment without any reticulated water supply network, and where property access is typically a wide but sometimes gravel vehicle entrance onto 100km/h road speed environments, and gravel accessways within the private properties. The format of the district plan is that these matters are dealt with in a district-wide manner at Section 6: Parking Loading and Access, rather than standards being located within individual plan sections. This is also a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS105.17				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.1 Activities in the Rural Lifestyle Environment	Support	Retain subject to relief sought regarding performance standards.	Accept submission point in full.
OS105.18				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.2 Minor residential units	Seek amendment	Add a new matter of discretion as follows: <u>x. An adequate firefighting water supply is provided in accordance with NZS 4404:2010 and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	Reject, as the amendment sought by the submitter to a matter of discretion to 4b.3.2, would only apply where a restricted discretionary consent was required (as otherwise a permitted activity), and the relevant performance standards relate to the scale of the activity and not water supply matters.
OS105.19				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.6 Papakainga	Support	Retain subject to the relief sought regarding the performance standards for the Rural Lifestyle Environment.	Accept submission point in full.
OS105.20				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3 General Rules - Rural Lifestyle Environment	Seek amendment	Add new rule as follows: <u>4b.3.X Emergency Service Facilities</u> <u>An emergency service facility which complies with the performance standards is a permitted activity</u>	Reject, as the submitter does not appear to have understood the 'effects-based' style of the district plan which does not generally assign an activity status to land use activities, but rather applies performance standards to all land use activities. Specific rules are only applied to land use activities such as rural industry that are highly prevalent in the rural environment of the district.
OS105.21				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.2 Maximum building coverage	Oppose	Amend as follows: <b>4b.4.2 Maximum building coverage</b> i. 10% of the total allotment area <b>4b.4.3 Maximum building size</b> i. 500m2 gross floor area for a single building <u>Exceptions: Emergency service facilities</u>	Reject, as with the exception proposed by the submitter an emergency service facility would be a permitted activity given the absence of activity lists with specific activity status assigned to individual land use activities. The maximum building coverage standard operates as an important consent trigger for land use activities involving large buildings and/or substantial scale of activities.
OS105.22				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.6 Maximum building height	Seek amendment	Amend as follows: <u>Exemption: emergency service facilities up to 9m in height hose drying towers up to 15m in height.</u>	Reject, as with maximum building coverage the performance standards act as consent triggers for land use activities that would otherwise be a permitted activity. This outcome for non-rural land use activities would be contrary to the objectives and policies for the rural environment. Council would want to require a restricted discretionary activity resource consent for land use activities such as emergency service facilities in the rural environment.
OS105.23				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.7 Minimum building setbacks	Seek amendment	Amend as follows: 4b.4.7 Minimum building setbacks Exception: <u>Emergency service facilities.</u>	Reject, as with maximum building coverage and maximum building height, the performance standards act as consent triggers for land use activities that would otherwise be a permitted activity. This outcome for non-rural land use activities would be contrary to the objectives and policies for the rural environment. Council would want to require a restricted discretionary activity resource consent for land use activities such as emergency service facilities in the rural environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS105.24				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4 Performance Standards - Rural Lifestyle Environment	Seek amendment	Add a new standard as follows: 4b.4.X Servicing <u>1. Where a connection to a reticulated water supply is available, all development must be provide with a water supply, including a firefighting water supply, and access to that supply.</u> <u>2. Where a connection to a reticulated water supply is unavailable, or where an additional level of service is required that exceeds the level provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory water supply, including a firefighting water supply and access to that supply, can be provide to each lot. Further advice and information about how sufficient firefighting water supply, and access to that supply, can be provided can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	Reject, as this standard is not considered appropriate for a rural environment without any reticulated water supply network, and where property access is typically a wide but sometimes gravel vehicle entrance onto 100km/h road speed environments, and gravel accessways within the private properties. The format of the district plan is that these matters are dealt with in a district-wide manner at Section 6: Parking Loading and Access, rather than standards being located within individual plan sections. This is also a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024.
OS105.25				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4 Performance Standards - Rural Lifestyle Environment	Seek amendment	Introduce a new standard as follows: <u>4b.4.X Firefighting access</u> <u>1. Any access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 50 metres when connected to a road that has a fully reticulated water supply system including hydrants, must be designed to accommodate a fire appliance design of at least 2.5 metres wide and 13 metres long and with a minimum gross mass of 25 tonne including:</u> <u>a. A gradient of no more than 16%; and</u> <u>b. A minimum clear passageway and / or vehicle crossing of at least 3.5 metres width at the site entrance, internal entrances, and between buildings; and</u> <u>c. A minimum formed carriageway width of 4 metres; and</u> <u>d. A height clearance of at least 4 metres; and</u> <u>e. A design that is free of obstacles that could hinder access for emergency service vehicles.</u>	Reject, as this standard is not considered appropriate for a rural environment without any reticulated water supply network, and where property access is typically a wide but sometimes gravel vehicle entrance onto 100km/h road speed environments, and gravel accessways within the private properties. The format of the district plan is that these matters are dealt with in a district-wide manner at Section 6: Parking Loading and Access, rather than standards being located within individual plan sections. This is also a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024.
OS105.26				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Include subdivision standard as follows: <u>SUB-SX Firefighting water supply</u> <u>1. Where a connection to a reticulated water supply system is available, all new allotments must be provided with a firefighting supply connection at the boundary of the net site area of the allotment in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008</u> <u>2. Where a connection to a reticulated water supply system is unavailable, all allotments must be capable of providing an onsite firefighting water supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008</u>	Accept in part, as the topic matter being advocated for by the submitter is currently managed through district-wide rule provisions for subdivision and development, and the development manual operated by Council with specifications for design matters including fire-fighting water supply. This is also a matter that Council will address when the district plan is re-configured into the national planning standards format in 2024, and the submitter is invited to engage with Council regarding these matters.
OS105.27				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Add a new matter of discretion as follows: <u>The extent to which the site is appropriately serviced for a firefighting water supply, and access to that supply, in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008</u>	Reject, as the purpose of 4b.5 subdivision rules is to determine activity status, primarily on the basis of lot sizes proposed within either the General Rural Environment or the Rural Lifestyle Environment. Whilst some of those rules are a restricted discretionary activity, many are not and therefore there are not matters of discretion. In addition, servicing and infrastructure matters for subdivision are primarily managed under the Taupo District Council Code of Practice for Development of Land 2009.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS105.28				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Add a new objective and policy as follows: <u>Objective X Infrastructure</u> <u>Public health and safety are maintained through the appropriate provision of infrastructure through either reticulated or onsite means.</u> <u>Policy X Servicing</u> <u>All development is appropriately serviced by either a reticulated or onsite water supply with sufficient capacity for firefighting purposes.</u>	Accept in part, insofar as the intent of the submission point is broadly supported but this will be addressed as part of re-configuring the district plan into the national planning standards format in 2024. There are also existing objectives and policies on the topic of infrastructure such as Objective 3b.2.6, Objective 3b.3.6 and Policy 3b.3.11. No amendments are recommended in response to this submission point.
OS105.29				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	Add a new matter of discretion as follows: <u>x. An adequate firefighting water supply is provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	Reject, as the amendments sought by the submitter to the matters of discretion to 4b.1.2 and 4b.1.5, would only apply where a restricted discretionary consent was required (as otherwise a permitted activity), and the relevant performance standards relate to the scale of the activity and not water supply matters.
OS105.30				Fire and Emergency New Zealand	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.3 Home business, commercial, and retail activities	Seek amendment	Add a new matter of discretion as follows: <u>x. An adequate firefighting water supply is provided in accordance with NZS 4404:2010 and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	Reject, as the amendments sought by the submitter to the matters of discretion to 4b.3.2 and 4b.3.3, would only apply where a restricted discretionary consent was required (as otherwise a permitted activity), and the relevant performance standards relate to the scale of the activity and not water supply matters.
OS106.15	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	The submitter seeks the following amendment to Proposed Objective 3b.2.4: <i>Maori cultural activities, tourism activities, visitor accommodation and renewable electricity generation and transmission (including sub transmission) activities are enabled in the General Rural Environment.</i>	Accept, with the amendment sought by the submitter incorporated into the wording of the objective, as a useful clarification to the provision.
OS106.16	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Support	The submitter seeks that Objective 3b.2.6 is retained as current drafted.	Accept submission point in full.
OS106.17	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	The submitter seeks that Policy 3b.2.13 is retained as current drafted.	Accept submission point in full.
OS106.18	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Support	The submitter seeks that Objective 3b.3.2 is retained as current drafted.	Accept submission point in full.
OS106.19	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Seek amendment	The submitter seeks that the following amendment is made to proposed rule 4b.1.7: <i>Any building (except network utilities) located within 0 – 12 meters of a high voltage transmission <u>or sub transmission</u> line is a restricted discretionary activity.</i>  <i>When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:</i> <i>a. The location of the structure in relation to high-voltage <del>transmission</del> line.</i> <i>b. Any effects on the safe and efficient functioning of the <del>transmission</del> line.</i> Alternatively, TLC would accept an advice note (or similar) to the effect that the term "transmission" is inclusive of sub transmission lines that are not a part of the National Grid.	Accept in part, as the submitter's point regarding the importance of sub-transmission lines operated by the submitter is accepted, but the amendment to the provision preferred is adding the words "or sub transmission" to the body of the standard, but also adding the same phrase to matters of discretion a) and b) rather than the deletion sought by the submitter to maintain clarity.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS106.20	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.7 High voltage transmission lines	Seek amendment	The submitter seeks that the following amendment is made to proposed rule 4b.3.7: <i>i. Any building (except network utilities) located within 0 – 12m of a high-voltage transmission or sub transmission line is a restricted discretionary activity.</i> <i>When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:</i> <i>a. The location of the structure in relation to high-voltage <del>transmission</del> line.</i> <i>b. Any effects on the safe and efficient functioning of the <del>transmission</del> line.</i>	Accept in part, as the submitter's point regarding the importance of sub-transmission lines operated by the submitter is accepted, but the amendment to the provision preferred is adding the words "or sub transmission" to the body of the standard, but also adding the same phrase to matters of discretion a) and b) rather than the deletion sought by the submitter to maintain clarity.
OS106.21	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.15 Maximum Noise - Telecommunication and electricity equipment	Seek amendment	The submitter suggests amending the reference to 4a.4.12 in the standard to 4b.4.13 Maximum Noise - Limits.	Accept amendments, as the submitter is correct that the cross-reference needs to be remedied. Several technical amendments have also been recommended in response to technical acoustic advice received on this matter.
OS106.22	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment	Seek amendment	The submitter seeks that the following amendment is made to Proposed Rule 4b.5.3: <i>c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's and <u>or Industry Development Guidelines and Structure Plans.</u></i>	Accept, with the amendment sought by the submitter incorporated into the matter of discretion, as a useful addition.
OS106.23	Tim	Lester	Edison Consulting Group	The Lines Company Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.5 Subdivision resulting in a new public road, or extension of existing public road	Seek amendment	The submitter seeks that provision 4b.5.5 includes roading design consideration for all underground infrastructure, as well as the associated separation requirements such as that specified in the <i>National Code of Practice for Utility Operators' Access to Transport Corridors</i>	Reject, as the submitter is seeking that a national code of practice be implemented through matters of discretion administered by Council through the subdivision consenting process, which is not an appropriate outcome. The matters of discretion focus on assets that Council manage and are suitably administered through the consenting process.
OS109.1	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Oppose	Replace the definition for "rural industry" with the following National Planning Standards definition:  <u>Means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</u>	Accept. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.
OS109.2	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Retain Objective 3b.2.3	Accept submission point in full.
OS109.3	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Retain Policy 3b.2.9(b)	Accept submission point in full.
OS109.4	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Oppose	Amend Policy 3b.2.14 as follows:  <b>Policy 3b.2.14 Commercial and industrial activity</b> <b>(excluding rural industry)</b> Limit the scale of commercial and industrial activity <b>(excluding rural industry)</b> to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production activities within the General Rural Environment.	Accept in part, as the addition of the words 'excluding rural industry' is a useful addition as that is the intent of the drafting (rural industry is provided for elsewhere in the provisions). However the wording change within the rule title is considered unnecessary and so the amendment supported is simply the additional words within the policy.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS109.5	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.5 Commercial and industrial activities, and home businesses,	Seek amendment	Amend Rule 4b.1.5 as follows: 4b.1.5 Commercial and industrial activities ( <u>excluding rural industry</u> ), and home businesses, i. A commercial, industrial activity ( <u>excluding rural industry</u> ) or home business which complies with the performance standards is a permitted activity. ii. A commercial, industrial activity ( <u>excluding rural industry</u> ) or home business which does not comply with the the performance standards is a restricted discretionary activity.	Accept, as the addition of the words 'excluding rural industry' is a useful addition as that is the intent of the drafting (rural industry is provided for elsewhere in the provisions).
OS109.6	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.10 Intensive indoor primary production and rural industry	Seek amendment	Retain Rule 4b.1.10 and Delete the second "matters of discretion" list.	Accept submission point in full. Duplicate matters of discretion list an error and is recommended for removal.
OS109.7	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Oppose	Amend Performance Standard 4b.2.1 as follows:  4b.2.1 Vehicle movements i. 200 'equivalent vehicle movements' <del>per day</del> for the allotment	Reject, as the performance standard would be meaningless without the 'per day' wording. The drafting intent is that the standard is read in conjunction with the definition for 'equivalent vehicle movement' which clearly states the means of calculation and the averaging method to be applied.
OS109.8	Graeme	Mathieson	Mitchell Daysh Limited	Rural Contractors New Zealand Incorporated ("RCNZ")	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.8 Commercial and industrial activities, and home businesses	Seek amendment	Amend Performance Standard 4b.2.8 as follows: 4b.2.8 Commercial and industrial activities ( <u>excluding rural industry</u> ), and home businesses i. Any indoor or outdoor space used for commercial, industrial ( <u>excluding rural industry</u> ) or home business purposes, shall have a gross floor area less than 100m <sup>2</sup> for indoor activities, or 100m <sup>2</sup> of land area for outdoor activities.	Accept, as the addition of the words 'excluding rural industry' is a useful addition as that is the intent of the drafting (rural industry is provided for elsewhere in the provisions).
OS110.1	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Add the following definition: <u>NATIONAL GRID has the same meaning as provided in the National Policy Statement on Electricity Transmission 2008.</u>	Accept in part. A definition for "National Grid" has been added to Section 10 of the District Plan through Plan Change 38.
OS110.2	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Add new definition for 'regionally significant infrastructure' and include the 'National Grid' within this definition.	Accept in part, insofar as the definition of 'regionally significant infrastructure' is being inserted within the district plan via Plan Change 38.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.8	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Amend definitions so that they are consistent with the National Planning Standards, including 'Intensive indoor primary production' and 'rural industry'.	Accept in part. It is acknowledged there is a future process for transitioning the ODP into national planning standards format. Replacing the current definition for 'rural industry' ahead of this transition does not result in consequential amendments elsewhere in the ODP.  However, reject the definition of "intensive indoor primary production" as this results in wider re-writes of provisions that are not efficient to address through this Plan Change 42 process. This will be done comprehensively when Council transition the ODP into national planning standard format next year. It is also important to note that national planning standards definitions do not need to be updated until 2027.
OS110.9	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition as follows: <u>NATIONAL GRID SUBDIVISION CORRIDOR means the area measured either side of the centreline of above ground National Grid transmission lines as follows (and illustrated in Appendix):</u> • 37 metres for 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers); • 39 metres for 350kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers). <b>View full submission for illustration.</b>	Accept. It is acknowledged there is an obligation to respond to the NPS-ET. Although this term is not used within Plan Change 42 there is a future process for transitioning the ODP into national planning standards format where these terms will be included within their own 'Energy' chapter. Including the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.
OS110.10	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition as follows: <u>NATIONAL GRID SUPPORT STRUCTURE means a pole or tower that is part of the National Grid.</u>	Accept. It is acknowledged that there is an obligation to respond to the NPS-ET. Although this term is not used within Plan Change 42 there is a future process for transitioning the ODP into national planning standards format where these terms will be included within their own 'Energy' chapter. Including the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.
OS110.11	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition as follows: <u>NATIONAL GRID YARD means (as illustrated in light green in Appendix):</u> <u>The area located 12 metres in any direction from the outer edge of a National Grid support structure;</u> <u>The area located 12 metres either side of the centreline of any overhead National Grid transmission line on pi poles or towers (including tubular steel towers where these replace steel lattice towers).</u> <u>The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.</u> <b>View full submission for illustration.</b>	Accept in part. A definition for 'National Grid Yard' has been included via submission 26.12 which is consistent with NPSET
OS110.12	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Amendments to the Definitions of the Taupo District Plan Section 10	Seek amendment	Insert a new definition as follows: <u>Sensitive Activities (in the National Grid Yard) means:</u> <u>a. residential activity;</u> <u>b. marae;</u> <u>c. hospital;</u> <u>d. healthcare activity;</u> <u>e. educational facility and preschools;</u> <u>f. retirement village;</u> <u>g. quest or visitor accommodation activity; or</u> <u>h. place of assembly.</u>	Reject, as the term 'sensitive activity' is not used within the Rural Environments chapter and including it is not considered to add value to current provisions.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.13	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b Rural Environment Chapter	Oppose	Delete references to the National Grid from the Rural Environment chapter and introduce a new district-wide Infrastructure/Network Utilities chapter.	Accept in part. An earthworks rule with associated matters of discretion have been included specifically for earthworks within the National Grid corridor in GRE and RLE.
OS110.14	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	Amend introduction as follows: <i>Other activities that are anticipated in the Rural Environment are tourism activities, visitor accommodation and renewable electricity generation and transmission. It is important that all such activities do not affect the ability of the rural environment to function effectively, recognising that some activities have specific locational or operational needs that must be accommodated ....</i>	Accept, the amendment is a useful addition to the 'introduction' and recognises an important point on locational or operational needs, and better gives effect to NPSET.
OS110.15	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.4 Other activities	Seek amendment	Amend Objective 3b.2.4 as follows: Maori cultural activities, tourism activities, visitor accommodation and renewable electricity generation <del>and transmission</del> activities are enabled in the General Rural Environment.  <b>Add the following new objectives to 3b.2:</b> <i>The national significance and benefits of the National Grid are recognised, and the National Grid is protected and provided for.</i> <i>The safety, efficiency, operation, maintenance, repair, upgrading, or development of the National Grid is not constrained or compromised by subdivision, use and development.</i>	Reject. Objectives and policies relating to the national grid are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment. This is considered a more appropriate location for these objectives and policies until a new Energy chapter is created in the future.
OS110.16	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Insert a new policy as follows:  <i>Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which: a. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided; b. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided</i> <i>b. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.</i>	
OS110.17	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Insert a new policy as follows: <i>Recognise and provide to the effective operation, maintenance, upgrading, and development of the National Grid.</i>	Reject. Objectives and policies relating to the national grid are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment. This is considered a more appropriate location for these objectives and policies until a new Energy chapter is created in the future.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.18	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Oppose	Delete this rule and replacement with specific rules that address the requirements of the NPSET, as described in this submission.	Reject. The ODP definition for buildings includes structures which is captured by Rule 4b.1.7. The relief provided is overly complex and doesn't reflect the relevant risk of the occurrence of this within the Taupo District.
OS110.19	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Oppose	Delete this rule and replacement with specific rules that address the requirements of the NPSET, as described in this submission (specifically refer submission point below).	Reject. The ODP definition for buildings includes structures which is captured by Rule 4b.1.7. The relief provided is overly complex and doesn't reflect the relevant risk of the occurrence of this within the Taupo District.
OS110.20	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Seek amendment	<p>Insert a new rule for buildings, structures and activities in the National Grid Yard for each rural zone as follows:</p> <p><u>4b.x.x Buildings, structures and activities in the National Grid Yard</u>  <u>Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.x.x is a permitted activity.</u>  <u>A building, structure or activity which does not comply with these performance standards or is not otherwise provided for, is a non-complying activity.</u></p> <p><u>Notification:</u>  <u>Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.</u>  <u>Where an activity requires resource consent solely because it is within the National Grid Yard and/or Corridor, public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged. Notification to other parties is not precluded if resource consent is required for any other matters in the District Plan.</u></p>	Reject. In the absence of the having a 'sensitive' building/activities definition, the Plan has gone all discretionary rather than RD and NC. Buildings and structures are captured under Rule 4b.1.7.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.21	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<p>Insert new performance standards for buildings, structures and activities in the National Grid Yard for each rural zone as follows:</p> <p><u>1. The activity, building or structure is not a sensitive activity.</u></p> <p><u>2. The building or structure is not for the reticulation or storage of water in canals, dams or reservoirs for irrigation purposes undertaken by a network utility operator as defined in the RMA.</u></p> <p><u>3. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:</u></p> <p><u>a. a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.</u></p> <p><u>b. an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).</u></p> <p><u>c. irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.</u></p>	Reject. In the absence of the having a 'sensitive' building/activities definition, the Plan has gone all discretionary rather than RD and NC. Buildings and structures are captured under Rule 4b.1.7.
OS110.21 cont	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<p><u>d. undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.</u></p> <p><u>4. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.</u></p> <p><u>5. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).</u></p> <p><u>6. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:</u></p> <p><u>a. is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 5 metres from the outer visible edge of a foundation of a National Grid transmission line tower.</u></p> <p><u>b. meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).</u></p> <p><u>c. undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid</u></p>	As above.
OS110.22	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1 General Rules - General Rural Environment	Seek amendment	<p><b>Insert a new rule for earthworks or vertical holes in the National Grid Yard in each rural zone as follows:</b></p> <p><u>4b.x.x Earthworks or vertical holes in the National Grid Yard</u></p> <p><u>i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.x.x are a permitted activity.</u></p> <p><u>ii. Earthworks or vertical holes which do not comply with performance standard 4b.x.x are a non-complying activity.</u></p> <p><u>The Council restricts its discretion to the following matters:</u></p> <p><u>a. The extent to which the earthworks or vertical holes may compromise the safe access to, and operation, maintenance and repair, upgrading and development of the National Grid</u></p> <p><u>b. The stability of land within and adjacent to the National Grid, and the structural intent of support structures, including the creation of an unstable batter.</u></p> <p><u>c. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u></p> <p><u>d. Technical advice provided by Transpower.</u></p> <p><u>Notification:</u></p> <p><u>Application for resource consent under this rule will be decided without public notification.</u></p> <p><u>Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.</u></p>	Accept in part. An earthworks rule with associated matters of discretion have been included specifically for earthworks within the National Grid corridor in GRE and RLE.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.23	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<p>Insert new performance standards for earthworks or vertical holes in the National Grid Yard in each rural zone as follows:</p> <p><u>1. Earthworks or vertical hole/s must not:</u></p> <p><u>a. Exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;</u></p> <p><u>b. Exceed 3 m depth where located between 6m and 12 m of the outer edge of the visible foundation of any National Grid support structure;</u></p> <p><u>c. Result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663;</u></p> <p><u>d. Result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and e. Compromise the stability of a National Grid support structure.</u></p>	Accept in part. An earthworks rule with associated matters of discretion have been included specifically for earthworks within the National Grid corridor in GRE and RLE.
OS110.23 cont	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2 Performance Standards - General Rural Environment	Seek amendment	<p><u>The following earthworks or vertical holes activities are exempt from Rule 1.a and Rule 1.b above:</u></p> <p><u>a. earthworks or vertical holes/s, excluding mining and quarrying, that are undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes) as defined by the Resource Management Act 1991;</u></p> <p><u>b. earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;</u></p> <p><u>c. vertical holes not exceeding 500mm in diameter that are a post hole for a farm fence or horticulture structure more than 6m from the visible outer edge of a National Grid tower foundation;</u></p> <p><u>d. earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663.</u></p>	As above.
OS110.24	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	<p>Insert a new rule for subdivision in the National Grid Substation Buffer as follows:</p> <p><u>4b.5.x Any subdivision of land in the National Grid Substation Buffer is a controlled activity provided the subdivision complies with the following requirements:</u></p> <p><u>i. All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building platform for the likely principal building(s) and any dwelling or sensitive activity located entirely outside of the National Grid Substation Buffer.</u></p> <p><u>ii. Vehicle access to National Grid assets is maintained.</u></p> <p><u>A subdivision that does not meet these requirements is a non-complying activity.</u></p> <p><u>The Council reserves its control over the following matters:</u></p> <p><u>1. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation.</u></p> <p><u>2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u></p> <p><u>3. Measures proposed to avoid potential adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and development of the substation.</u></p> <p><u>4. Technical advice from an electrical engineer specialising in electricity transmission.</u></p> <p><u>5. The outcome of any consultation with Transpower.</u></p> <p><u>6. Whether the building, structure or sensitive activity could be located further from the substation.</u></p> <p><u>Notification: An application for resource consent under this rule will be decided without public notification.</u></p> <p><u>Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.</u></p>	Accept in part. An additional matter of control has been included to address subdivision within the national grid corridor.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS110.25	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	<p>Insert a new rule for subdivision in the National Grid Subdivision Corridor as follows:</p> <p><u>4b.5.x Any subdivision of land in the National Grid Subdivision Corridor is a restricted discretionary activity provided the subdivision complies with the following requirements:</u></p> <p><u>i. All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building platform for the likely principal building(s) and any dwelling or sensitive activity located entirely outside of the National Grid Yard.</u></p> <p><u>ii. Existing vehicle access to National Grid assets is maintained.</u></p> <p><u>For the purposes of Rule 4b.5.x the Council restricts the exercise of its discretion to the following matters:</u></p> <p><u>a. The risk of electrical hazards affecting public or individual safety, and the risk of property damage, including the extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663.</u></p> <p><u>b. The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading.</u></p> <p><u>c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u></p>	Accept in part. An additional matter of control has been included to address subdivision within the national grid corridor.
OS110.25 cont	Trudi	Burney	Transpower New Zealand Limited		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Seek amendment	<p><u>d. The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.</u></p> <p><u>e. The ability to provide a complying building platform outside of the National Grid Yard.</u></p> <p><u>f. The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and the how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.</u></p> <p><u>g. The outcome of any consultation with Transpower.</u></p> <p><u>h. The risk to the structural integrity of the National Grid.</u></p> <p><u>Notification: Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. Where an activity requires resource consent solely because it is within the National Grid Yard and/or Subdivision Corridor, public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged. Notification to other parties is not precluded if resource consent is required for any other matters in the District Plan.</u></p>	As above.
OS111.1	Diane	Hamer			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5 Subdivision Rules	Support	Retain, but seeks clarification on sheds being built on lifestyle blocks for industrial business.	Sheds' are referred to within the District Plan as 'buildings', but if the building (shed) was then used for an 'industrial purpose' rather than domestic household purposes, then the use would be managed through the 'commercial or industrial activities, and homes businesses' provisions such as 4b.1.5.
OS112.4	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<p>RNZ supports the reference to ensuring lawfully established activities are able to continue operating, but would prefer stronger wording in relation to new activities, such as:</p> <p><u>activities that choose to locate in close proximity to these activities are aware of the effects they can generate and that the Rural Environment is the best location for these activities, and do not limit or restrain those activities.</u></p>	Accept, as the submitter's additional wording adds clarity and the intended meaning of the paragraph, and enhances clarity.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS112.5	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Retain.	Accept submission point in full.
OS112.6	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Seek amendment	Amend with stronger direction such as 'avoided' instead of managed.	Accept in part, insofar as the provision is being amended in response to the Genesis Energy submission with similar wording.
OS112.7	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Seek amendment	RNZ considers it would be useful to add specific reference to 'reverse sensitivity effects': <i>Any adverse effects generated by an activity, including reverse sensitivity effects, must be managed within the allotment so as to avoid adversely affecting permitted and lawfully established neighbouring activities.</i>	Accept, as the policy wording is enhanced with the submitter's request adds clarity.
OS112.8	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.1 Activities in the General Rural Environment	Support	Retain.	Accept submission point in full.
OS112.9	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.9 Maximum Noise - Limits	Seek amendment	The following wording is suggested for an exemption: <i>x. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities;</i>	Reject, as being unnecessary given the use of a temporary generator would be unlikely to exceed the noise limits within the standard given the measuring location is at the boundary of the site.
OS112.10	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Support	Retain.	Accept submission point in full.
OS112.11	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.6 Impacts on community infrastructure	Seek amendment	Use of the term as 'avoided' and that this policy direction applies to 'infrastructure' rather than being limited to community infrastructure.	Reject, as the objective relates to the Rural Lifestyle Environment which is being applied to existing locations characterised by rural residential land use. The locations have been selected to exclude regionally significant infrastructure given the potential for conflict that would exist. Accordingly, the objective wording focuses on 'managing' and 'community infrastructure' being infrastructure services provided by Council.
OS112.12	Annabelle	Lee	Chapman Tripp	Radio New Zealand Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Support	Retain.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS113.4	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3 General Rules - Rural Lifestyle Environment	Seek amendment	Submitter seeks amendments to Provision: <i>Any temporary activity, being an activity of up to a total of four operational days in any 6-month period, which exceeds any performance standard(s), is a permitted activity, provided that:</i> <i>a)...</i> <i>b) Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing, <del>and</del></i> <i>c) An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded; and</i> <i>d) Where access is reliant on a State highway, vehicle movements do not exceed 100 'equivalent vehicle movements' per day.</i>	Reject. There are no Rural Lifestyle properties with direct access onto the State Highway so the proposed amendment is onerous and unnecessary.
OS113.5	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4 Rules and Standards	Seek amendment	The submitter seeks a new reverse sensitivity noise rule as per Attachment 1 of the submission and/or introduce rules that achieve the same outcome for sensitive noise receivers. <b>Please refer to full bundle of submissions for Attachment 1.</b>	At the time of preparing the section 42A report this matter was not fully resolved with the submitter and evidence produced had recommendations that warranted further investigation. Based on the Statement of Evidence by Jon Styles it is anticipated that amendments will be made to the GRE and RLE chapters to reflect some recognition to this submission point. This will be considered post-section 42A report with an addendum prepared prior to the hearing.
OS113.6	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.1 Vehicle movements	Seek amendment	Submitter seeks following amendments: <i>i. 200 'equivalent vehicle movements' per day for the allotment where access is to a local road,</i> <i>ii. Papakainga - 100 'equivalent vehicle movements' per day for the allotment or 24 per dwelling, whichever is the greater.</i> <i>iii. 100 'equivalent vehicle movements' per day where access is reliant on a State highway.</i>  EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations <u>where access is to a local road.</u>	Accept in part. As per the transport evidence provided by Dave Smith, clause iii and "where access is to a local road" is accepted. An advice note has also been included stating that any accessway onto the State Highway should be developed as per the Waka Kotahi PPM Appendix 5B Standards and Guidelines or any future updates or replacements to this standard.  However, the term "reliant on a State Highway" is too broad and open to interpretation, therefore "where access is to a State Highway" has been used instead as it is clearer.
OS113.7	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.4 Maximum density of primary residential units	Seek amendment	The submitter seeks to amend provision as follows: <i>i. One primary residential unit per 10 hectares.</i> <i>ii. One primary residential unit per site where access is reliant on a state highway.</i>  EXCEPTION: <i>Papakainga.</i>	Reject. The amendment to provision 4b.2.1 sought by Waka Kotahi under OS113.6 submission point would address safety in the event that there were multiple primary residential dwellings on a site by providing a safe and appropriate access standard. Therefore the proposed amendments in OS113.7 are not necessary.
OS113.8	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Seek amendment	The submitter seeks amendment to provision: <i>i....</i> <i>vi. Where a sign faces a State highway:</i> <i>e) the sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.</i> <i>f) Lettering and symbols used must be at least 160 millimetres in height.</i>	Accept, as it is acknowledged that where signage faces the state highway that the risk of distraction of drivers is of paramount importance. The number of words and size of lettering is therefore important.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS113.9	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.12 Maximum Artificial Light Level	Support	Submitter seeks new provision: <u>4b.2.16 - Maximum Artificial Light Level</u> <u>5 LUX (lumens per square meter) at the boundary.</u>	Reject, as the General Rural Environment of the district accommodates large industrial sites (such as geothermal power stations) that operate 24 hours per day and seven days per week, and from necessity require on-site lighting. The inclusion of this rule would have unknown consequences for these existing industrial operations.
OS113.10	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.5 Temporary Activities	Seek amendment	The submitter seeks to amend provision:  <i>i. Any temporary activity, being an activity of up to a total of four operational days in any 6-month period, which exceeds any performance standard(s), is a permitted activity, provided that:</i> <i>a. There are no new permanent structures constructed; and</i> <i>b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is re-instated to its condition prior to the activity commencing; and</i> <i>c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.</i> <u>d. Where access is reliant on a State highway, vehicle movements do not exceed 100 equivalent vehicle movements per day.</u>	Reject. There are no Rural Lifestyle properties with direct access onto the State Highway so the proposed amendment is onerous and unnecessary.
OS113.11	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Seek amendment	Impose new reverse sensitivity noise rule per Attachment 1 attached to the submission and/or introduce rules that achieve the same outcome for sensitive noise receivers.	At the time of preparing the section 42A report this matter was not fully resolved with the submitter and evidence produced had recommendations that warranted further investigation. Based on the Statement of Evidence by Jon Styles it is anticipated that amendments will be made to the GRE and RLE chapters to reflect some recognition to this submission point. This will be considered post-section 42A report with an addendum prepared prior to the hearing.
OS113.12	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.1 Vehicle movements	Seek amendment	The submitter seeks amendments to provision:  <u>4b.4.1 Vehicle movements</u>  <i>i. 50 equivalent vehicle movements per day for the allotment.</i> <i>ii. 30 equivalent vehicle movements per day for the allotment where access is gained from a <u>state highway</u>.</i> <i>iii. Papakainga: 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.</i>  EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations where access is to a local road	Reject. There are no Rural Lifestyle properties with direct access onto the State Highway so the proposed amendment is onerous and unnecessary.
OS113.13	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.4 Maximum density of residential units	Seek amendment	Submitter seeks amendments to provision:  <i>i. One residential unit per two hectares.</i> <i>ii. One residential unit per four hectares for lots adjoining the General Rural Environment.</i> <i>iii. <u>One primary residential unit per site where access is reliant on a state highway.</u></i>  EXCEPTION: Papakainga.	Reject. There are no Rural Lifestyle properties with direct access onto the State Highway so the proposed amendment is onerous and unnecessary.
OS113.14	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.12 Maximum Artificial Light Level	Seek amendment	submitter seeks amendment to provision:  <i>i. <u>8 5 LUX (lumens per square meter) at the boundary.</u></i>	Reject, as to stay consistent between the Rural Lifestyle and the General Rural Environment (see OS113.9)
OS113.18	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Support	Submitter seeks Objective retained as notified	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS113.19	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.5 Avoidance of reverse sensitivity	Support	Submitter seeks Objective retained as notified	Accept submission point in full.
OS113.20	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.6 Impacts on infrastructure	Support	Retain as notified	Accept submission point in full.
OS113.21	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.9 Maintaining the established character	Support	Retain as notified	Accept submission point in full.
OS113.22	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.10 Residential units	Support	Retain as notified	Accept submission point in full.
OS113.23	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.11 Heavy vehicle movements	Support	Retain as notified	Accept submission point in full.
OS113.24	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.13 Avoiding reverse sensitivity	Support	Retain as notified	Accept submission point in full.
OS113.25	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.14 Commercial and industrial activity	Support	Retain as notified	Accept submission point in full.
OS113.26	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.2.15 Allotment size	Support	Retain as notified	Accept submission point in full.
OS113.27	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment	Support	Retain as notified	Accept submission point in full.
OS113.28	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.2 Avoid reverse sensitivity	Support	Retain as notified	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS113.29	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.3 Commercial and industrial activities	Support	Retain as notified	Accept submission point in full.
OS113.30	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.3.5 Allotment sizes	Support	Retain as notified	Accept submission point in full.
OS113.31	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.9 Character of the Rural Lifestyle Environment	Support	Retain as notified	Accept submission point in full.
OS113.32	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > Policy 3b.3.12 Minor residential unit	Support	Retain as notified	Accept submission point in full.
OS113.33	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.7 Minor residential units	Support	Retain as notified	Accept submission point in full.
OS113.34	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Support	Retain as notified	Accept submission point in full.
OS113.35	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Support	Retain as notified	Accept submission point in full.
OS113.36	Luke	Braithwaite	Waka Kotahi NZ Transport Agency	Waka Kotahi NZ Transport Agency	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.10 Signage	Seek amendment	Submitter seeks to following amendments to provision: i.... v. <i>One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings.</i> vi. <u>Where a sign faces a state highway:</u> <u>a) the sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.</u> <u>b) Lettering and symbols used must be at least 160 millimetres in height.</u>	Accept, as it is acknowledged that where signage faces the state highway that the risk of distraction of drivers is of paramount importance. The number of words and size of lettering is therefore important.
OS114.9	Alana	Delich		Taupō Climate Action Group	Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks Rural Lifestyle subdivision be limited to the periphery of existing urban areas, not those identified in the Rural areas.	Reject. This would involve fragmentation of productive land areas. Note the proposed areas are already Rural Lifestyle environment.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS114.10	Alana	Delich		Taupō Climate Action Group	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	Submitter suggests including “formal protection and enduring ecological management” to rule would create more meaningful environmental outcomes.	Reject as it is considered that the formal protection including fencing and stock exclusion will lead to an enhancement of the values of the identified SNA. While it is agreed that active weed and pest management will lead to additional enhancements of those areas which are affected by those threats, the protection and enhancement afforded to these areas through the bonus lot rule will be commensurate with the effects associated with the additional bonus lots created in the wider General Rural Environment. Note that such an initiative is not precluded from being considered through wider subdivision applications within the rural environments.
OS114.11	Alana	Delich		Taupō Climate Action Group	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	Submitters seeks a provision requiring an ecological management plan which includes consideration of weed and animal pest management. This should be submitted as part of the application for a bonus lot.	Reject as it is considered that the formal protection including fencing and stock exclusion will lead to an enhancement of the values of the identified SNA. While it is agreed that active weed and pest management will lead to additional enhancements of those areas which are affected by those threats, the protection and enhancement afforded to these areas through the bonus lot rule will be commensurate with the effects associated with the additional bonus lots created in the wider General Rural Environment. Note that such an initiative is not precluded from being considered through wider subdivision applications within the rural environments.
OS114.12	Alana	Delich		Taupō Climate Action Group	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.8 Subdivision - Bonus Lots	Seek amendment	Submitter seeks the inclusion of a 'Subdivision - Significant Natural Areas section' to the affect that “Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located adjacent to a Significant Natural Area will include a buffer, so as not to encroach on the SNA, and allow for access to that Significant Natural area for on-going ecological management to maintain the ecological integrity of the SNA, including weed and animal pest management.”	Reject, as the focus of the bonus lot provisions is to identify and protect identified Significant Natural Areas. Controlling activities within and around these areas is out of the scope of this plan change and is best considered when the natural values provisions are revised.
OS114.13	Alana	Delich		Taupō Climate Action Group	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b Rural Environment	Seek amendment	The submitter request consideration be given to natural gully systems in the General Rural Environment and proposed Rural Lifestyle Zone including general protection, restricted land use in close proximity to, restricted or controlled access, vegetation enhancement and management, erosion control.	Accept in part, as the gully areas within the district's rural environment do in places contain biodiversity, are an important part of the landscape and do perform an important role in stormwater management. Plan Change 42 has a two hectare minimum lot size for the Rural Lifestyle Environment. This is low intensity rural lifestyle development given the land use provisions allow for a single dwelling per allotment, allowing low levels of development pressure on the rural gully areas. The minimum lot size is ten hectares in the General Rural Environment.
OS115.14	George	Asher	Te Kotahitanga o Ngati Tuwharetoa		Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.3.6 Papakainga	Seek amendment	TKNT note that innovative Papakainga performance standards are being proposed and implemented in many local authorities in NZ that are not yet available under the proposed TDC performance standards. That in view of its being in the early stages of developing its kainga programme, including Papakainga, TKNT recommend that prospective home owners’ and TDC hold further discussions prior to the finalisation of detailed performance standards for Papakainga. That TKNT oppose the stringent performance standards proposed for maximum building coverage and recommend that it be increased for Papakainga. That TKNT oppose the proposed minimum building setbacks of 15m and recommend that consideration be given for prospective Papakainga owners to reduce their requirements for minimum building setback.	Accept in part, insofar as Plan Change 42 is seeking to enhance papakāinga provisions which the submitter appears to broadly support. The proposed provisions (including the definition) provide significant flexibility to whanau in the design and development of Papakāinga on their whenua. The standards set out in the rule are more permissive than the wider rural standards, i.e. maximum building coverage for general rural is 10%. Any proposed activity which does not meet those performance standards will be a restricted discretionary activity and processed on a non-notified basis. This means that proposals which do not meet all of the district plan standards can still be submitted and will be assessed in respect to only those aspects which do not comply with the plan.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS115.19	George	Asher	Te Kotahitanga o Ngati Tuwharetoa		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Amend PC42 to recognise and provide for the vision, objectives, values, and desired outcomes in Te Kaupapa Kaitiaki.	Accept in part, insofar as this is a broad submission point seeking alignment with Te Kaupapa Kaitiaki which Council has attempted to do through the Strategic Directions chapter in particular. Through PC38 it is recommended that a new policy, 2.1.3.1.d which specifically references the vision, objectives and values of Te Kaupapa Kaitiaki is added to the plan. This policy will need to be considered in the application of the rural provisions.
OS115.25	George	Asher	Te Kotahitanga o Ngati Tuwharetoa		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Make amendments to ensure PC42 reflect a genuine understanding and commitment to the principles of Te Tiriti/The Treaty of Waitangi.	Accept in part, insofar as this is a broad submission point seeking alignment with Te Kaupapa Kaitiaki which Council has attempted to do through the Strategic Directions chapter (PC38) in particular. PC38 includes a new objective which specifically directs that the principles of te tiriti o Waitangi are taken into account through district plan planning and decision making (2.1.2.6). This Objective reiterates the direction within Section 8 of the RMA, embeds that direction into the plan and provides additional direction on how this is to be done.
OS115.31	George	Asher	Te Kotahitanga o Ngati Tuwharetoa		Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Ensure Plan change 42 reflects the new wording of the NBE and SP Acts once these are ratified by the appropriate regional authorities.	Noted. Council will be required to amend their District Plan accordingly once the NBE and SP Acts are in place.
OS116.1	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Oppose	1160 Mapara Road, Acacia Bay site, legal description is removed from the Rural Environment zone and zoned Rural Lifestyle Environment.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS116.2	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Amend the Rural Lifestyle Environment Zone Map to include 1160 Mapara Road.	Reject. 1160 Mapara Road is a 40 Ha site which is not currently a Rural Lifestyle block.
OS116.3	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Oppose	Delete the objective 3b.3.1. Amend the objective to read: "Maintain the character of the Rural Lifestyle Environment: <u>Subdivision and development is designed and implemented to maintain the character of the Rural Lifestyle Environment.</u> "	Reject, as the submitter assumes that a key purpose of the Rural Lifestyle Environment is to enable greater levels of rural residential development, whereas whilst some additional development is provided for, the primary purpose of the RLE is to recognise pockets of existing rural residential development in the district's rural areas, and to prevent such development occurring in the General Rural Environment.
OS116.4	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.4.5 Minor residential units	Seek amendment	Amend to allow greater distance (e.g. 40m) from primary residence.	Accept, as a practical enhancement to the rule with greater flexibility but that maintains the original intent. As a consequential amendment the same amendment has been recommended for 4b.2.7.
OS116.5	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Seek amendment	Amend. Add an item iii Discretionary cluster Development to encourage cluster type housing which is a better solution to achieve TDC strategic direction of preserve the productive potential of the land	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS116.6	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.1 Subdivision - General Rural Environment	Oppose	Oppose Item ii That any subdivision below 10 hectares in the Rural Zone is Noncomplying. Discretionary Development 4- 10 hectares should be retained.	Reject, as the policy intent is that rural residential development (and subdivision) does not occur at all within the General Rural Environment. The ten hectare lot size proposed to differentiate between controlled and non-complying is intended to strongly discourage rural residential use. The submitter suggests that this forces people who want two hectares only to 'waste' the remaining the eight hectares. This is considered unlikely as an outcome, but if did occur would still retain the sparsely populated productive working general rural environment sought by Council.
OS116.7	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Amend the rule to include a restricted discretionary activity rule as follows: Matters of discretion: <u>a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.</u> <u>b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.</u> <u>c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines.</u> <u>d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.</u> <u>e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.</u> <u>f. the extent to which the design and layout of the subdivision maintains the character of the Rural Lifestyle Environment.</u> <u>g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the Districts' waterways and Lakes</u> Amend the discretionary rule to read: ii. Subdivision resulting in lots that are smaller than 4 hectares adjoining the General Rural Environment <u>where the boundary of the lots is within 300m of the General Rural Environment boundary</u> is a discretionary activity.	Accept in part, insofar as the submitter is correct that different forms of subdivision can be advantageous due to site-specific circumstances and characteristics. But this should be pursued by individual property owners through the resource consent process, rather than adding complexity to the subdivision rule framework.
OS116.8	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.2 Objectives and Policies - General Rural Environment	Seek amendment	Add a policy which recognises as appropriate, and enables, limited rural residential subdivision and development on sites with marginal or limited productive capacity (i.e., LUC 4 or higher) where the size of the lots constrain productive use. For example: "Enable limited rural residential subdivision and development on sites where the parent title has marginal or limited productive capacity" or similar wording to address the reasons for the submission	Reject. Whilst there are large areas of LUC 4 or higher soils in the district (i.e. are not high quality soils LUC 1, 2 or 3), productive potential of the rural environment is not solely about soil quality, but also around being a working rural landscape with large-scale industrial operations such as quarries, geothermal electricity generation and similar. Enabling sporadic rural residential development across the district's rural environment would not be consistent with the intent of Plan Change 42.
OS116.9	Bryce David	McGrath			Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	Provisions relevant to the relief sought in this submission. Consequential and/or other amendments which address the reasons for the submission set out in column 5 of this submission.	Noted.
OS117.1	John	Peters			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Support	Retain rural lifestyle zoning at 101 Caroline Drive.	Accept submission point in full.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS117.2	John	Peters			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Rural lifestyle properties that have a boundary with the General Rural Environment should be able to subdivide to 2Ha as a controlled activity	Reject as the aim is to avoid reverse sensitivity effects on the General Rural Zone.
OS117.3	John	Peters			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	If rural lifestyle properties adjoining General Rural cannot subdivide to 2Ha as a controlled activity, notification should be limited so that only the general rural neighbour is considered an affected party.	Reject. The discretionary status reflects Council being able to undertake notification assessments on subdivision consents on a case-by-case basis and to be appropriately satisfied effects are not broader than cross-boundary impacts.
OS117.4	John	Peters			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment	Seek amendment	Rural lifestyle properties that have a boundary with the General Rural Environment should be able to subdivide to 2Ha as a controlled activity.	Reject, as whilst the submitter's point about farming viability in the district has merit, the solution is not considered to enable sporadic and ad hoc rural residential development, as a primary purpose of Plan Change 42 is to better control such development. Rural Lifestyle Environment properties adjacent to General Rural Environment are more likely to generate reverse sensitivity effects on adjoining rural productive land and allowing a smaller lot size will exacerbate cross-boundary effects.
OS118.1	Jasmine	Dheda			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Remove White Road from the Rural Lifestyle zoning.	Accept in part, as the submitter misunderstands given that the intent is that the Rural Lifestyle Environment areas are entirely based around on-site services, apart from transport which will rely on the existing rural roading network and telecommunications which will be provided by network utility providers. No other infrastructure will be required. Substantial further subdivision is not anticipated within the White Road RLE location. The submitter is correct that avoidance of reverse sensitivity is important.
OS119.1	Ed	Juzwa			Plan Change 42 - General Rural and Rural Lifestyle Environments > Planning Maps	Seek amendment	Submitter seeks 862 and 764 Whangamata Road be added to the proposed area designated as rural lifestyle.	Reject. 862 Whangamata Road is already proposed as rural lifestyle. 764 Whangamata Road is a 600+ ha block.
OS79.41	Catriona	Eagles		Cheal Consultants	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.2 Minor residential units	Seek amendment	Amend to ensure consistency.	Accept, as the submitter is correct that there are three additional assessment criteria applying to 4b.1.2 and that these should also be included within 4b.3.2, as all are relevant to the Rural Lifestyle Environment also and would enhance the provision.
OS83.7	Penelope	Aston			Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.2.15 Signage	Oppose	i. Allow up to 2 signs per allotment ii. Increase maximum total face area of sign to 4m2 iii. Allow additional 2m2 max sign for any contractor working at the allotment for up to, say, 4 weeks v. Increase size of temporary sign for sale of land or buildings to 4m2	Reject, as the submitter's suggestion would enable a doubling of signage in the rural environment with associated visual clutter, plus there is no demonstrated need to enable more signage outside of the district's urban areas.
OS93.23	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments	Seek amendment	If Rural Lifestyle Environments are only located in appropriate locations, that outcome avoids the need to Contact (and others) to seek changes to the rules and performance standards relating to the Rural Lifestyle Environment to avoid reverse sensitivity effects. That is the approach that has been taken in this submission. If Contact's relief sought in relation to the location of Rural Lifestyle Zones is not accepted, then Contact seeks alternative relief (including additional changes to the rules and performance standards relating to the Rural Lifestyle Environment) which will avoid the creation of reverse sensitivity effects.	Accept in part. Accept that the location should be removed from Rural Lifestyle Environment, but it is important to recognise the need to avoid further rural residential intensification in this location, given proximity to the geothermal field and electricity generation infrastructure, to the motorsports park and the Industrial Environment. Amendments are recommended in response to restrict minor residential units, and to strengthen the policy framework as it applies to this locality.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

Original Sub No	Submitter First Name	Submitter Last Name	Submitter Org	Submitter Behalf Of	Provision	Position	Decision Sought	Section 42A Recommendation
OS84.15	Alice	Lin		Genesis Energy	Plan Change 42 - General Rural and Rural Lifestyle Environments > Objective 3b.2.3 Rural industry	Seek amendment	Retain Objective 3b.2.3 as notified, and insert a new objective following Objective 3b.2.3 as follows: <b><u>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</u></b> <u>Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.</u>	Reject. Renewable electricity related objectives and policies are already included within the Strategic Directions Plan Change 38 which crosses over all zones, not just the Rural Environment.

## Taupō District Council

### Recommendations of the Independent Hearings Panel

## Addendum to Recommendation Report 5 – Plan Change 42: General Rural and Rural Lifestyle Environments

### Submission OS74 (Steve Hawkins)

10 May 2024

This addendum relates to the submission by Steve Hawkins (OS74) on the provisions of Plan Change 42: General Rural and Rural Lifestyle Environments.

It is attached to **Recommendation Report 5** relating to all other submissions on that plan change.

This addendum should be in conjunction with that Recommendation Report. It should also be read in conjunction with:

- The **Index Report**, which contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports and a record of all Panel Minutes. It does not contain any recommendations *per se*.
- **Recommendation Report 2**, which contains the Panel's recommendations on Plan Change 38 dealing with Strategic Direction Objectives.

This addendum does not contain any appendices. For a schedule of attendances, a summary table of recommendation on each submission point, and recommended amendments to Plan Change 42 (both tracked and accepted versions), **Appendices 1 to 4** attached to **Recommendation Report 5** should be relied upon, respectively.

The Hearings Panel for the purposes of hearing Submitter OS74 was the same as that for Plan Change 42 as a whole i.e., Commissioner David McMahon (Chair), Commissioner Elizabeth Burge and Councillor Kevin Taylor.

## **Recommendation Report 5**

### **Addendum relating to Submission OS74 (Steve Hawkins)**

#### **1 Preamble**

##### **Purpose and structure of this addendum**

- 1.1 This addendum to **Recommendation Report 5** deals specifically with the submission by Steve Hawkins (Submitter/Submission OS74) to Plan Change 42 (PC42) to the Taupō District Plan (TDP) relating to the General Rural and Rural Lifestyle Environments provisions. The relief that the submitter sought evolved during the course of the submission and hearing process. That relief raised, in the first instance, considerations over matters of scope and, in the second, merit considerations, that are best addressed in this separate addendum to the main report on PC42.
- 1.2 This addendum should nevertheless be read in conjunction with **Recommendation Report 5**, the **Index Report**, and **Recommendation Report 2**; the latter which contains the Panel's recommendations on Plan Change 38 dealing with Strategic Direction Objectives. At appropriate points those reports may be referred to in this addendum.
- 1.3 This addendum is structured as follows:
  - a. The remainder of **Section 1** summarises the original submission and relief sought and sets out the sequence of directions, actions and exchanges that took place during the lead up to the hearing and during the course of the hearing itself, as a basis for describing the preferred relief that emerged during that process. This section is entirely factual in its content.
  - b. **Section 2** sets out our considerations and findings with respect to matters of scope where both the preferred relief and the relief as originally sought (in that order) are concerned. Here we find that there is no scope to consider the preferred relief, but sufficient scope to consider its original iteration. This is the first of our evaluative sections.
  - c. **Section 3** sets out our considerations as to the merits of the relief as originally sought. Here we find that merits provide an insufficient basis for adopting the relief sought. This is the second of our evaluative sections.
  - d. **Section 4** provides a summation of our conclusions in relation to Submission OS74 and confirms our recommendation that it be rejected. This is the third and last of our evaluative sections.

##### **Nature of original submission and relief sought**

- 1.4 As summarised by the Council,<sup>1</sup> Submission OS74 expressed opposition to the provisions of PC42 on the basis that they did not reflect the Council's obligations under the NPS-HPL that only Class 1 to 3 land should be protected by virtue of a non-complying activity status for subdivision. The submission was also opposed to the application of a General Rural Environment (GRE) Zone on the site located at 387 Whakaroa Road. As part of the relief requested, the submitter sought a Rural Lifestyle Environment (RLE) Zone over the entirety of the site.

---

<sup>1</sup> *Plan Change 42, General Rural and Rural Lifestyle – Summary of Decisions Sought*, undated

- 1.5 Briefly, the site concerned comprises a 344 ha. block of land accessed via Whakaroa Road and located on an elevated promontory on the northern edge of Lake Taupō between Taupō and Kinloch. It currently accommodates a sheep and cattle farm. The site is illustrated in **Figure 1**. For the purposes of later assessment it is pertinent at this point to note that the subject site has a Rural Environment zoning in the operative TDP which would be rezoned to GRE under the provisions of PC42, and is subject to an operative Outstanding Landscape Area overlay (OLA65 – Whakaroa Peninsula) that the Council intends will not be altered by PC42.



**Figure 1: View of subject site (Source: *Te Tuhi Estate Design Statement*, August 2023)**

- 1.6 The decisions that the submission sought were as follows:
- a. To amend Rule 4b.5.1 to make subdivision that results in lots smaller than 10 ha. a discretionary activity, together with any other consequential amendments to give effect to that relief.
  - b. To amend the rural environment chapter to reflect the objectives and policies of the NPS-HPL.
  - c. To amend the zoning of the site located at 387 Whakaroa Road to RLE Zone, as, according to the submission, investigations have confirmed that the site is suitable for rural lifestyle development.
- 1.7 The original submission drew one further submission in opposition to the relief sought. This further submission, from Waikato Regional Council, was opposed to the requested RLE rezoning due to the potential for land fragmentation, loss of productive capacity, increased greenhouse gas emissions, and transport and infrastructure concerns.<sup>2</sup>

---

<sup>2</sup> FS212.12

### Sequence of directions, actions and exchanges during the course of the hearing

- 1.8 Over the course of the hearing process relating to PC42 as a whole, the following directions, actions and exchanges occurred between 25 July and 16 October 2023 with respect to Submission OS74:
- a. An initial memorandum filed by Mr James Gardner-Hopkins on behalf of the submitter seeking to formally update the Panel as to the refined relief being sought, and addressing matters of scope in that respect.<sup>3</sup>
  - b. Minute 6 issued by the Panel directing:<sup>4</sup>
    - i. Council's legal counsel to provide their legal opinion as to whether or not the 'more specific relief/refined relief' sought by the submitter at a. was within scope of both PC42 and the original submission; and
    - ii. the Council's and submitter's planners to conference on a "without prejudice" basis the planning provisions provided by the submitter at a. to assess their efficacy and workability.
  - c. In the context of Minute 6 we granted leave for the Council's reporting officer to submit a supplementary statement addressing any 'planning policy impediment' to granting the 'refined' relief as sought.
  - d. The Section 42A Report on submissions to PC42 as a whole prepared by the Council's reporting officer Craig Sharman, referencing the memo at a., direction ii. in Minute 6 above, and the forthcoming Joint Witness Statement (f. below).<sup>5</sup>
  - e. Evidence filed by<sup>6</sup> and on behalf of the submitter and, where the latter was concerned, relating to planning, landscape, design, ecology, engineering, transportation and economics matters.<sup>7</sup>
  - f. The Joint Witness Statement (JWS) on planning matters addressing direction ii. in Minute 6 above and prepared with the input of Mr Sharman and Ms Hilary Samuel (Policy) for the Council, Ms Stephanie Blick and Mr Andrew Cumming, for Submitter OS74, and Ms Megan Kettle for the Regional Council as further submitter.<sup>8</sup>
  - g. Evidence filed by Ms Samuel also addressing direction ii. in Minute 6 above and outlining the Taupō District Growth Management 'story' to provide context for how and why PC42 was developed in the way it has been and to outline the subject site's planning history in relation to the TDP.<sup>9</sup>
  - h. Advice on matters of scope prepared by Mr James Winchester, barrister, for the Council, and addressing direction i. in Minute 6 above.<sup>10</sup>

<sup>3</sup> *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023

<sup>4</sup> *Minute 6 of the Independent Hearing Panel*, 27 July 2023

<sup>5</sup> *Section 42A of the RMA Report by Craig Sharman*, 28 July 2023, Section 5.10

<sup>6</sup> *Statement of Evidence of Steve Hawkins*, 11 August 2023

<sup>7</sup> Prepared by Andrew Cumming and Stephanie Blick (planning), Dave Mansergh (landscape), Lauren White (design), Treffery Barnett (ecology), Alan Blyde (engineering), Don McKenzie (transportation) and Fraser Colegrave (economics), dated 11 August 2023 or thereabouts.

<sup>8</sup> *Joint Witness Statement – Planning*, undated (presumably 14 August 2023)

<sup>9</sup> *Statement of Evidence Hilary Samuel*, 14 August 2023

<sup>10</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins*, 14 August

- i. A supplementary statement prepared by Mr Sharman addressing direction ii. and addressing any identified 'planning policy impediment' as provided in c. in Minute 6 above, and referencing his original Section 42A Report (d. above), the outcomes of conferencing as set out in the JWS (f. above), Ms Samuel's evidence (g. above) and Mr Winchester's advice (h. above).<sup>11</sup>
  - j. A second memorandum filed on behalf of the submitter responding to Mr Winchester's advice (h. above) and seeking that the Panel consider the merits of the proposal associated with the refined relief, independent or ahead of matters of scope being decided.<sup>12</sup>
  - k. A legal peer review of the advice filed to date regarding matters of scope (and referencing a., h. and j. above) prepared by Lara Burkhardt, barrister and solicitor, for Submitter OS74.<sup>13</sup>
  - l. Minute 16 issued by the Panel, signaling (among other matters) an opportunity for Council officers to provide merit evidence regarding Submitter OS74 should they choose to do so.<sup>14</sup>
  - m. A third memorandum filed on behalf of the submitter responding to specific matters arising during the hearing unrelated to matters of scope.<sup>15</sup> Accompanied by post-hearing evidence and information prepared on behalf of the submitter by Ms Blick providing a brief account of engagement with mana whenua and the Department of Conservation.<sup>16</sup>
  - n. Further advice on matters of scope prepared by Mr James Winchester, barrister, for the Council, and addressing the memo and peer review referred to in j. and k. above.<sup>17</sup>
  - o. Post-hearing evidence and information filed on behalf of the Council relating to landscape, geotechnical and economics matters.<sup>18</sup>
  - p. A reply statement filed by Mr Sharman addressing submissions on PC42 as a whole, but also specifically matters of scope and merit raised in relation to Submission OS74.<sup>19</sup> Prepared with reference to the opportunity provided via Minute 16 (l. above), and referencing his supplementary statement (i. above) and evidence filed by other Council experts (o. above).
- 1.9 We further reference the directions, actions and exchanges above to the extent that they are relevant, in our considerations as to scope and merit in **Sections 2** and **3** of this addendum.

---

2023

<sup>11</sup> *Section 42A Supplementary Statement by Craig Sharman*, 16 August 2023

<sup>12</sup> *Second Memorandum on Behalf of Steve Hawkins*, 21 August 2023

<sup>13</sup> *Plan Change 42 to the Taupō District Plan – Peer Review Opinion on Scope – Submission by Steve Hawkins*, 22 August 2023

<sup>14</sup> *Minute 16 of the Independent Hearing Panel*, 28 August 2023

<sup>15</sup> *Third Memorandum on Behalf of Steve Hawkins*, 1 September 2023

<sup>16</sup> *Supplementary Statement of Evidence of Stephanie Louise Blick*, 1 September 2023

<sup>17</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response to Further Memorandum and Legal Advice on behalf of the submitter*, 1 September 2023

<sup>18</sup> Prepared by Simon Button (landscape), Maddison Phillips (geotechnical) and Philip Osborne (economics), dated 20 – 22 September 2023.

<sup>19</sup> *Section 42A Reply Statement by Craig Sharman*, 16 October 2023, paras 19 – 33

### Evolution of relief sought during the course of the hearing

- 1.10 As alluded to in a. above, the relief originally sought by the submitter evolved during the course of the hearing, reflecting the development of future/proposed applications for resource consent relating to the subject site.<sup>20</sup> Those consent applications would centre around the creation of the 'Te Tuhi Development Area' (TTDA) to provide for the development of what the submitter refers to as rural lifestyle allotments.
- 1.11 The relief as latterly 'refined' and sought by the submitter can be summarised as follows:
- a. amendments to the rural environment chapter of the TDP to:
    - i. reference the purpose of the TTDA in the Introduction section;
    - ii. introduce a new objective and policy relating to subdivision, use and development in the TTDA;
  - b. amendments to the general rules section for the RLE Zone to:
    - i. provide for buildings or structures generally in accordance with the TTDA Structure Plan as a discretionary activity;
    - ii. provide for buildings or structures not generally in accordance with the TTDA Structure Plan, minor residential units, and intensive indoor primary production activities in the TTDA as non-complying activities;
  - c. amendments to the subdivision rules for the RLE Zone to:
    - i. create an exception applying to the TTDA to a rule that makes the subdivision of land in the GRE or RLE Zones a non-complying activity where they are also located in an Outstanding Landscape Area (OLA) and involves the creation of lots less than 10 ha. a non-complying activity;
    - ii. provide for subdivision generally in accordance with the TTDA Structure Plan as a discretionary activity;
    - iii. provide for subdivision not generally in accordance with the TTDA Structure Plan as a non-complying activity; and
  - d. include the TTDA Structure Plan as an appendix to the TDP.
- 1.12 As noted in paragraph 1.8 of this addendum, the submitter's 'refinement' of their relief in this manner led us via Minute 6 to direct Council's legal counsel to provide a legal opinion as to matters of scope. Specifically, we asked counsel as to advise whether the 'more specific relief/refined relief' was within scope of:
- a. PC42; and
  - b. the original submission.
- 1.13 These are the matters that Mr Winchester, together with Mr Gardner-Hopkins and Ms

---

<sup>20</sup> As we understand it, those applications remain in development and have not yet been lodged with the relevant consent authorities.

Burkhardt, turned their minds to in their subsequent submissions. We address their difference of opinion and reach our findings in relation to matters of scope in **Section 2** of this addendum.

- 1.14 Having settled those matters in relation to the 'refined' relief summarised in paragraph 1.11 above, we have also been obliged to apply the same test outlined in a. above, where the relief sought in the original submission was concerned. We briefly set out our findings in this respect in **Section 2** also.
- 1.15 Finally, having settled all matters relating to scope, we have turned our attention to considering the merits of the relief as originally sought and as summarised in paragraph 1.6 of this addendum. We set out our findings in this respect in **Section 3**, and reach our overall conclusions and recommendations in relation to Submission OS74 in **Section 4**.

## 2 Consideration as to matters of scope

### Preferred relief

- 2.1 As our starting point for considerations as to scope it is logical to work backwards from the 'more specific relief/refined relief' (or 'preferred relief' as we will refer to it from here on) to the relief as originally sought by the submitter.
- 2.2 With respect to the former then, it was Mr Gardner-Hopkins' position, as set out in his initial memorandum, that the preferred relief was more restrictive than the original relief sought as:
- a. *"while it still seeks rezoning of the site to Rural Lifestyle;*
- b. *instead of seeking a discretionary status for all subdivision under 10ha it is seeking for that discretionary status to remain only if subdivision is generally in accordance with a detailed structure plan."*<sup>21</sup>
- 2.3 In his view, the offering up of a specific directive objective and policy, together with some supporting rules, acted to reinforce this more restrictive relief.<sup>22</sup> With reference to case law, Mr Gardener-Hopkins went on to opine that the preferred relief aligned with the purpose of PC42, related to land proximate to other areas proposed for an RLE zoning as notified, could not be considered to be 'out of left field' when considered against the scope of the original submission, and would not result in the creation of any 'newly affected parties'.<sup>23</sup>
- 2.4 As noted earlier, it was on this basis that we directed Council's legal counsel to provide a legal opinion as to matters of scope, via Minute 6. To remind the reader, the questions posed related to whether the preferred relief was within the scope (or 'on') PC42 and the original submission.
- 2.5 Mr Winchester subsequently indicated that he had no issues with the submitter's position that the preferred relief is 'on' PC42;<sup>24</sup> we also accept that. However, in relation to the

<sup>21</sup> *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, para 6

<sup>22</sup> *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, para 7

<sup>23</sup> *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, paras 15 - 28

<sup>24</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins*, 14 August 2023, para 11

second question, it was Mr Winchester's view that the *"position sought to be advanced by the submitter would be beyond the scope of the original relief and, as a consequence, unfair."*<sup>25</sup>

- 2.6 In sum, his view was founded on concerns that:
- a. the preferred relief was significantly different from the original relief in scope, content and intended effect;
  - b. the preferred relief was arguably more enabling than restrictive when considered against the original relief;
  - c. more importantly than considerations relating to relative restrictiveness, the preferred relief would lead to outcomes that could not have reasonably been appreciated or foreseen by other submitters or members of the public having only the original relief to hand; and
  - d. as a consequence, it would be unfair to accommodate the preferred relief through the PC42 hearing process.<sup>26</sup>
- 2.7 Mr Gardner-Hopkins returned to the matter of scope in his second memorandum. Focusing on the ultimate questions of scope and fairness, Mr Gardner-Hopkins provided an analysis of why, in his view, all three parts of the original submission (as summarised in paragraph 1.6 of this addendum) provided sufficient scope for our consideration of the preferred relief. It remained his view that the structure plan provisions were by their very nature more restrictive than the relief as originally sought. Finally, in his view, observing that the Regional Council had sought to oppose the original relief by way of a further submission, then it followed that other parties also had had that opportunity, even if they elected not to.<sup>27</sup>
- 2.8 In reviewing Msrs Gardner-Hopkins' and Winchester's advice, Ms Burkhardt indicated that she preferred the former's, on the basis that she considered his analysis to be more detailed and comprehensive.<sup>28</sup> She appeared to accept Mr Gardner-Hopkins' contention that the preferred relief was more restrictive and therefore within the scope of the original relief and took the view that the thrust of both the original and preferred relief seeking a rezoning were sufficiently similar. Unfortunately, as Ms Burkhardt's review was tabled by the submitter we were unable to test the conclusions she had reached, at the hearing.
- 2.9 The final word on matters of scope was provided by Mr Winchester, having had the opportunity to consider both Mr Gardner-Hopkins' and Ms Burkhardt's advice. He continued to hold the opinion that the preferred relief was beyond the scope of the original relief and that it would be unfair to accommodate it.<sup>29</sup>
- 2.10 In sum, we agree with Mr Winchester that the differences between the relief advanced at the hearing and that contained in the submission are *"wide-ranging and material"*<sup>30</sup> and

---

<sup>25</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins*, 14 August 2023, para 25

<sup>26</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins*, 14 August 2023, pars 12 – 24

<sup>27</sup> *Second Memorandum on Behalf of Steve Hawkins*, 21 August 2023, paras 11 – 26

<sup>28</sup> *Plan Change 42 to the Taupō District Plan – Peer Review Opinion on Scope – Submission by Steve Hawkins*, 22 August 2023

<sup>29</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response to Further Memorandum and Legal Advice on behalf of the submitter*, 1 September 2023, para 31

<sup>30</sup> *Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response*

are "beyond the scope of what a reasonable person could have envisaged from reading the submission."<sup>31</sup> On the latter point, we concur with Mr Winchester's observation that the degree of explanation and interpretation that the submitter felt was necessary in enunciating their position went to a reasonable conclusion that "it would have been relatively difficult for any person reading the submission on its face to understand what the submitter had in mind when he wrote the submission, let alone what he now proposes."<sup>32</sup>

- 2.11 To expand on this point, we agree with Mr Winchester that, with respect to the preferred relief and the accompanying TTDA provisions:

*"It is a matter of fact that the planning approach, the planning mechanisms now relied on, the level of detail advanced, the density and number of house sites, and the type of outcome envisaged are all significantly different from the relief sought in the submission, and are not foreshadowed in any way in the submission."*<sup>33</sup>

- 2.12 We note that, from a planning perspective, Mr Sharman agreed with Mr Winchester, in stating that:

*"The modified relief is presented as being 'within the scope' of the relief sought within the original submission. I do not accept that this is the case, and in my opinion the modified relief on the basis of density alone, significantly expands and is far more enabling of development on this property than the RLE provisions being introduced by PC42."*<sup>34</sup>

- 2.13 With respect to the development of the TTDA proposal, we have considerable sympathy for the position presented by Ms Samuels, that:

*"The refined provisions proposed by Submitter 74 hang heavily on the compliance of any future development with the structure/precinct plan. However, the precinct plan proposed by the submitter has been lodged as evidence five working days before the hearing, so was excluded from the First Schedule process for Plan Change 42. There has been no mechanism for the Council or the community to have inputted into the precinct plan."*<sup>35</sup>

- 2.14 Finally, we agree with Mr Winchester that the case law referenced by the other witnesses in their submissions was not generally applicable to the specifics of the matter before us.
- 2.15 Accordingly, while we do not disagree that the preferred relief is in scope of and 'on' PC42, we find we do not have jurisdiction or scope to entertain the preferred relief on the basis that it is beyond the scope of the original relief sought in Submission OS74 and that to do so would raise substantive questions of fairness that we are not comfortable with.
- 2.16 We are left with no doubt in this respect. What this means, as a consequence, is that there are no grounds for us to consider the merits of the TTDA proposal encapsulated in the preferred relief.

---

to Further Memorandum and Legal Advice on behalf of the submitter, 1 September 2023, para 26

<sup>31</sup> Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response to Further Memorandum and Legal Advice on behalf of the submitter, 1 September 2023, para 7

<sup>32</sup> Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response to Further Memorandum and Legal Advice on behalf of the submitter, 1 September 2023, para 13

<sup>33</sup> Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins – Response to Further Memorandum and Legal Advice on behalf of the submitter, 1 September 2023, para 8

<sup>34</sup> Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, para 37

<sup>35</sup> Statement of Evidence Hilary Samuel, 14 August 2023, para 32

- 2.17 Having said that, we do acknowledge the efforts of the planning witnesses, Mr Sharman, Ms Samuel, Ms Blick, Mr Cumming, and Ms Kettle in conferencing on the efficacy and workability of the TTDA provisions set out in the preferred relief, as directed by us via Minute 6, and as set out in the JWS. We note in that context that while the witnesses reached some agreement regarding the mechanics of those provisions, they were unable to reconcile their differences regarding the satisfactory integration of those provisions with broader TDP objectives and policies.
- 2.18 We also acknowledge the efforts of the submitter and their expert team to develop the TTDA proposal and we have more to say on the appropriate means for pursuing it further in **Section 4**.

#### Original relief sought

- 2.19 Having settled the matter of scope where it applies to the preferred relief, we note that no argument has been presented to us that the original relief was not in scope of or 'on' PC42. In fact, it was made clear by Mr Gardner-Hopkins that, even were we to conclude that there is a jurisdiction issue with the preferred relief (as we have), then the submitter's 'fall back' position remains the original relief sought.<sup>36</sup>
- 2.20 This original relief is the proposal that we must now turn our minds to in terms of considering it on its merits.

### 3. Consideration of original relief sought on its merits

#### Introduction

- 3.1 As a starting point, it is helpful here to return to the intent of the original submission; that is, to facilitate the development of the subject site located at 387 Whakaroa Road for rural lifestyle purposes. To achieve that, the submission first seeks to apply the RLE Zone to the subject site, in preference to the GRE zoning as notified. The submission also seeks that Rule 4b.5.1, which provides for subdivision in the GRE Zone, is amended to make subdivision that results in lots smaller than 10 ha. a discretionary activity (rather than a non-complying activity as notified).
- 3.2 We note at this point that the two main reliefs sought can be seen as separate means to an end where the submitter's aspirations for their property is concerned. The requested rezoning of the subject site to an RLE zoning is obviously a site-specific request. The requested change in subdivision activity status would apply to the subject site and the GRE Zone in general, given that the rule concerned (4b.5.1) applies to that zone alone. This second relief can be seen as representing an alternative means of facilitating the site's development for rural lifestyle purposes, although of course its reach would be considerably wider. This is a generous interpretation on our part, observing that Mr Sharman pointed to the somewhat contradictory nature of the two reliefs.<sup>37</sup>
- 3.3 In this respect, we do not accept Mr Gardner-Hopkins' view that the submission seeks a discretionary activity status for subdivision across both the GRE and RLE.<sup>38</sup> This is not clear from a plain reading of the components of the submission. Ultimately, though, the intent of the submission is clear; i.e., as stated above, it is to provide a means for enabling the development of the site for rural lifestyle purposes. That allows us to consider the two reliefs sought in a collective manner.

<sup>36</sup> *Third Memorandum on Behalf of Steve Hawkins*, 1 September 2023, para 11

<sup>37</sup> *Section 42A Supplementary Statement by Craig Sharman*, 16 August 2023, para 8

<sup>38</sup> *Second Memorandum on Behalf of Steve Hawkins*, 21 August 2023, paras 12 – 19

3.4 In our view, the questions that are determinative to our consideration of the merits of the original relief as sought are as follows:

**a. Are there any fundamental impediments to rezoning or altering subdivision consent status to facilitate the development of the subject site for rural lifestyle purposes, such that the requests should not proceed?**

**b. What is the nature of these fundamental impediments (if any)? Are they:**

- i. Policy barriers?* (these might include a misalignment with the purpose of PC42, those arising from conflicts with regional or district policy settings, or a lack of demonstrated need for the provision of further lifestyle development opportunities in the Taupō District as a whole)
- ii. Site-specific physical constraints, values or potentially adverse effects?* (of such significance that means that the requests should not proceed)
- iii. Information gaps?* (of sufficient significance that means we are unable to determine some element of ii. above)

3.5 We deal with each of these elements in turn under the following three sub-headings. We do note that there is a third element to the original submission; seeking that the rural environment chapter be amended to accommodate the objectives and policies of the NPS-HPL. This is a discrete matter that we reach a separate finding on under the fourth and final sub-heading below.

3.6 In all instances our reference points for a merits assessment are the evidence and information available to us with respect to the reliefs sought in the original submission, and not as later 'refined'. Practically, this limits the reference set available to us as the evidence and information presented during the course of the hearing tended to focus on the submitter's preferred relief, rather than that sought in the original submission. Nonetheless, there are still some findings that we are able to reach with reference to general information available to us on certain matters, such as those related to demonstrated need, for example.

#### **Policy barriers**

3.7 As noted in question b.i. above, policy barriers may include a misalignment with the purpose of PC42, those arising from conflicts with regional or district policy settings, or a lack of demonstrated need for the provision of further lifestyle development opportunities in the Taupō District as a whole. These we deal with in turn below.

#### **Purpose of PC42**

3.8 There is no perfect distillation of the purpose of PC42 that we have been able to ascertain from our reading of the materials associated with PC42, including the Section 32 Report.<sup>39</sup> The 'purpose' of PC42 as described in the Section 42A Report reads more as a description of the main changes to the TDP wrought by PC42, rather than a rationale for those changes.<sup>40</sup>

3.9 Nonetheless, reading the materials at a broader level, it is apparent that, to avoid

<sup>39</sup> Section 32 Evaluation Report: Plan Change 42 Rural Chapter – General Rural Environment and Rural Lifestyle Environment, undated

<sup>40</sup> Section 42A of the RMA Report by Craig Sharman, 28 July 2023, Section 2.2

cumulative effects such as a loss of productive potential associated with the fragmentation of the rural environment into lifestyle properties, the Plan Change seeks to direct such development into identified, suitable areas, subject to an RLE zoning, and separate from the balance of the rural environment within which the productive potential of land, and other natural and acquired values, are to be preserved. Minimum lot sizes for both the GRE and RLE, consent status for infringing lots, and bespoke objectives and policies are then proposed to be brought to bear to the consideration of proposals requiring resource consent.

3.10 Mr Sharman's view is that the merits of amending the zoning of the property to RLE are weak. He based his view partly on the observation that "*[d]espite not being highly productive land, the property is a large unfragmented block of land generally suitable for pastoral or rural purposes, and is not unique to many other large rural properties in the district.*"<sup>41</sup>

3.11 We concur with Mr Sharman in this respect, and would go further in finding that requested amendments to PC42 to enable the development of the site for rural lifestyle purposes are misaligned with the broad purpose of the Plan Change, in that they would not preserve the productive potential of rural land as PC42 generally intends.

#### *Regional and district policy settings*

3.12 In opposing the requested rezoning of the property, Council planning witnesses Mr Sharman and Ms Samuels have placed considerable weight on the position that the relief sought would be contrary to the outcome sought within the Taupō District Growth Strategy (TD2050). We find ourselves unable to provide equivalent weight to TD2050 given that it is a non-statutory document not produced under the Resource Management Act 1991 and dating from 2006, albeit we acknowledge that it was reviewed in 2018. We are also unable to overly rely on Mr Sharman's assessment of key planning impediments as the (correct) focus of his assessment at that time was on the TTDA-related proposal.<sup>42</sup>

3.13 More relevant and applicable to our minds, are the provisions of the Waikato Regional Policy Statement (WRPS), operative TDP and the proposed Strategic Directions provisions (the subject of Plan Change 38).

3.14 The Regional Council did not file any evidence at the hearing, although it did table a letter expressing concern that *ad hoc* RLE rezoning requests were contrary to the WRPS.<sup>43</sup> Ms Samuels helpfully set out the hierarchy of WRPS provisions, operative TDP objectives and policies, Plan Change 38 Strategic Directions objectives and relevant PC42 objectives and policies relating to (variously) the management of future growth, the fragmentation of the rural environment, rural subdivision and outstanding landscapes, in her supplementary statement.<sup>44</sup> We agree with Ms Samuels that the objectives of both PC38 and PC42 all have legal effect from notification and must be accorded some weight.<sup>45</sup>

3.15 It is our assessment that to grant the relief as originally sought by the submitter would be contrary to:

- a. WRPS Method UD-M5 relating to district plan provision for rural-residential

<sup>41</sup> Section 42A of the RMA Report by Craig Sharman, 28 July 2023, para 119

<sup>42</sup> Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, paras 13 – 14

<sup>43</sup> Waikato Regional Council – Letter to be Tabled for Plan Change 42, General Rural and Rural Lifestyle Environments, 14 August 2023, para 15 – 16

<sup>44</sup> Statement of Evidence Hilary Samuel, 14 August 2023, Attachment 1

<sup>45</sup> We have already considered submissions to PC38 and recommend the adoption of amendments that, where relevant, have been reflected in paragraph 3.15 of this addendum (refer **Recommendation Report 2**).

development;

- b. Operative TDP Objectives 3b.2.1 and 3b.2.2 relating to the maintenance and enhancement of rural amenity and character;
  - c. Operative TDP Objective 3h.2.1 and associated policies relating to the protection of OLA;
  - d. PC38 Objective 2.3.2.1 relating to the protection of the productive capacity of rural land;
  - e. PC38 Objective 2.3.2.2 and an associated policy relating to the effective functioning of the GRE; and
  - f. PC42 Objectives 3b.2.2 and 3b.3.4 relating to the maintenance of established rural character and the consolidation of rural lifestyle activities.
- 3.16 We cannot see any obvious pathway around the policy barriers identified in a. to f. above at this point. Fundamentally in our view, to ostensibly cater for rural lifestyle purposes on the subject site by rezoning and/or altering the consent status of subdivision would be to set up an unresolved tension with regional and district level policy settings, particularly those seeking to avoid the fragmentation of the rural environment and protect outstanding landscapes. The latter raises RMA s6(c) considerations that also remain unresolved in our minds.

***Demonstrated need***

- 3.17 In concluding that the merits of amending the zoning of the property are weak, Mr Sharman relies in part on the finding of Council's economic assessments that there is no need for additional rural lifestyle land in the district, and that PC42 proposals for RLE zones, as notified, are sufficient to meet anticipated demand and provide choice.<sup>46</sup>
- 3.18 Indeed, this is the general conclusion that Mr Philip Osborne reached in his primary statement of economic evidence, on behalf of the Council.<sup>47</sup> In economic evidence presented on behalf of the submitter,<sup>48</sup> Mr Fraser Colegrave's position was that, in 'unabashedly' catering for a 'high-end' rural lifestyle, broad conclusions about additional rural residential capacity did not meaningfully apply to the site in question. We are unable to give Mr Colegrave's views much weight in this regard as his vision of the proposal relates to that promoted via the preferred relief, which we have already determined we do not have scope to consider.
- 3.19 In response, Mr Osborne returned to the matter of demand in his supplementary statement. It remained his view, that "*[t]he RLE capacity enabled through PC42 is still sufficient to meet [the] level of [predicted] demand.*"<sup>49</sup> We have not heard anything to convince us otherwise, and we therefore accept the Council's position in this respect, in that there is no demonstrated need for the additional rural lifestyle capacity that changes in zoning or subdivision consent status on the subject site would effect.

<sup>46</sup> Section 42A of the RMA Report by Craig Sharman, 28 July 2023, para 119

<sup>47</sup> Statement of Evidence of Philip Osborne on behalf of the Taupō District Council – Economics, 27 July 2023, para 8.5

<sup>48</sup> Statement of Evidence of Fraser Colegrave, 9 August 2023

<sup>49</sup> Supplementary Statement of Evidence of Philip Osborne on behalf of the Taupō District Council – Economics, 22 September 2023, para 3.9

### Site-specific physical constraints, values and effects

- 3.20 While largely focused on the merits of the TTDA proposal (which is not within scope of our consideration), Mr Sharman's supplementary statement did set out a useful perspective on the site's 'micro' suitability for a proposed RLE zoning. We consider that this is worth quoting in full:

*"The property is not adjacent to a proposed RLE location, is not characterised by existing rural lifestyle development or small allotments, is well placed in terms of proximity to Acacia Bay and Taupō but is not particularly more so than many other similar sized rural properties in the wider locality, is subject to several fault lines based on technical hazards assessment work undertaken by TDC, appears to have high landscape and natural values as recognised by the OLA notation and the adjacent significant natural areas notation and, whilst near to Kinloch township, is not connected to it in a practical sense. I therefore do not consider that there are property-specific or locational factors that make this property more suitable for RLE land use than for other similarly sized properties within the wider Rural Environment."*<sup>50</sup>

- 3.21 Mr Sharman further considered the site-specific merits of the submitter's 'fall back' position in his reply statement. He noted that one criterion for inclusion in the RLE Zone was the absence of overlays relating to OLAs etc., and that the RLE provisions tend not to integrate those overlay provisions given that no or very little spatial overlap is intended (this differs from the GRE provisions). This went to Mr Sharman's conclusion that the submitter's property did not meet the necessary selection criteria<sup>51</sup> and was therefore unsuitable for inclusion in the RLE Zone.<sup>52</sup>
- 3.22 In considering site-specific physical constraints, values and effects at a more detailed level, we are unable to place meaningful weight on the technical evidence supplied on behalf of the submitter or as latterly commissioned by the Council as it was largely focused on an assessment of TTDA-related proposal attached to the preferred (and out-of-scope) relief. A case in point is Mr Simon Button's supplementary evidence on landscape,<sup>53</sup> which comprised a gap analysis of that information relating to the TTDA proposal. This is not intended to be critical of Mr Button's or anyone else's evidence; it is only to emphasise that we are unable to reach any definitive finding as to the significance of site-specific physical constraints, values and effects associated with the relief as originally sought, beyond indicating a concurrence with Mr Sharman's general concerns above. This goes to the next matter we deal with, relating to the comprehensiveness of the information available to us.
- 3.23 We note that the Council did not seek to contest much of the submitter's own technical evidence by fielding its own, although to a considerable extent this came down to an assumption by the Council that the preferred relief would not proceed for scope reasons.<sup>54</sup> Nevertheless, it is possible that some of these site-specific physical constraints, values and effects do not represent an impenetrable obstacle to the site's development in some shape or form, and could be resolved through an alternative process, but that is not a finding we are able or obliged to reach given the information before us.

<sup>50</sup> Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, para 26

<sup>51</sup> Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, para 23 and Section 42A Reply Statement by Craig Sharman, 16 October 2023, para 26

<sup>52</sup> Section 42A Reply Statement by Craig Sharman, 16 October 2023, para 23

<sup>53</sup> Right of Reply – Advice Statement of Simon Leigh Button on behalf of the Taupō District Council – Landscape, 20 September 2023

<sup>54</sup> Refer letter to the Panel titled Evidence on Submission 74, dated 4 September 2023

### Comprehensiveness of information provided

- 3.24 As signaled previously, the submitter's case, and the Council response to that case, has tended to focus on the relief as modified during the course of the hearing. In paring back our consideration to the relief as originally sought, we are faced with a consequential lack of information to assist us in our deliberations, that we are obliged to acknowledge. This goes to assessing the risk of acting, where there is uncertain or insufficient information about the subject matter.<sup>55</sup>
- 3.25 A case in point is our appreciation and understanding of cultural values and how these might be affected by the relief sought; something that is almost entirely absent from the materials before us. We appreciate that the submitter has made some efforts in the space<sup>56</sup> and agree that matters such as these are potentially resolvable given time and resourcing;<sup>57</sup> however, those efforts have generally related to the out-of-scope TTDA proposal and as such, any outcomes arising are not directly applicable to the original relief.
- 3.26 This leads us to a general conclusion that we do not have sufficient information regarding the implications of the original relief sought to enable it to proceed.

### Accommodation of NPS-HPL objectives and policies

- 3.27 Briefly, and as noted earlier, there was a third element to the original submission; seeking that the rural environment chapter be amended to accommodate the objectives and policies of the NPS-HPL. In this respect, we agree with Mr Sharman that this "*point of relief appears to incorrectly interpret the NPS-HPL as providing direction for more lenient subdivision on soils which are not Class 1-3.*"<sup>58</sup> On that basis, we do not propose to consider the matter further.

## 4. Overall conclusions and recommendations

### Overall conclusions

- 4.1 We have found that we do not have scope to consider the relief as modified or 'refined' by the submitter during the course of the hearing, as it falls outside the scope of the relief sought in the original submission.
- 4.2 We further find that the relief as originally formulated by the submitter and requesting the rezoning or altering of subdivision consent status to facilitate the development of the subject site for rural lifestyle purposes should not proceed due to the following fundamental impediments:
- a. it is misaligned with the purpose of PC42;
  - b. it is contrary to relevant WRPS, operative TDP, PC38 and PC42 provisions including specific objectives and policies and would set up unresolved tensions with those provisions;
  - c. no demonstrated need for further rural lifestyle capacity in Taupō District has been demonstrated; and

<sup>55</sup> s32(2)(c), RMA

<sup>56</sup> Refer *Supplementary Statement of Evidence on Stephanie Louise Blick*, 1 September 2023

<sup>57</sup> *Section 42A Reply Statement by Craig Sharman*, 16 October 2023, para 20

<sup>58</sup> *Section 42A Supplementary Statement by Craig Sharman*, 16 August 2023, para 8

- d. at a broad level, site-specific physical constraints, values and potential effects may be able to be overcome but we are not able or obliged to reach a definitive finding on this matter given an absence of sufficient information and the risk of acting in that context.
- 4.3 We would make one final observation. Given the above, we do not think that the relief sought, either as originally formulated or as subsequently modified, is correctly pursued through a submission on PC42. We appreciate that the submitter has been prompted to act by the promulgation of the Plan Change and that their ideas have evolved over the course of that process. That of course is understandable, but the proposal as it now stands has not been presented as a comprehensive package from the outset, it has led to the relief straying out-of-scope and information gaps opening up during the course of its evolution.
- 4.4 Without prejudice to an eventual outcome, we consider this may be best resolved by reconstituting the proposal or some version of it and pursuing it through a private plan change and/or resource consenting process at an appropriate point.

#### Recommendations

- 4.5 For the reasons summarised above, we recommend the rejection of Submission OS74. No amendments to PC42 are proposed as a consequence.

**DATED THIS TENTH DAY OF MAY 2024**



---

DJ McMahon  
Chair



---

EA Burge  
Independent Commissioner



---

K Taylor  
Councillor