

ATTACHMENTS

Extraordinary Council Meeting

11 June 2024

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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.

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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.

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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: Intensive Primary Production means any activity defined as <u>intensive indoor primary production or intensive outdoor primary production</u> . Intensive Indoor Primary Production (as per National Planning Standards definition) means <u>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</u> . Intensive Outdoor Primary Production means any primary production activities involving the <u>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</u> . Excludes Extensive Pig Farming means the <u>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</u> .	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.

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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 tourism activities, visitor accommodation 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.

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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)..... <u>g) 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. 200-300 300 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. <u>300 metres for new sensitive activities from the notional boundary of any lawfully established 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 Aircraft : <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).</u> <u>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	NZAA 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: <u>g) agricultural aviation activities</u> 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: <u>iii. Nothing in the foregoing Performance Standards shall apply to the intermittent use of aircraft for agricultural aviation activities.</u> 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) Infrequent <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 <u>and</u> 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: Means primary production activities that principally occur within buildings that and involve growing produce fungi 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: (Rural Environment) 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	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.	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 offal 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:</u> <u>12m in any direction from the visible outer edge of a National Grid tower; or</u> <u>10m in any direction from a National Grid single pole or pi-pole; or</u> <u>The area located within 10m either side of the centre line of any overhead 110kV National Grid line on single or pi-pole; or</u> <u>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 <u>Has the same meaning as in section 2 of the RMA Includes vibration.</u>	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</u> <u>Includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</u> <u>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>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 <u>where they do not adversely impact on the productive land use</u>	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> <u>i. a predominance of primary production activities</u> <u>ii. generally open space between built structures</u> <u>iii. typical adverse effects such as odour, noise and dust associated with a rural working environment; and</u> <u>iv. 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

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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: Limit the scale of Avoid 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.

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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: b) Accessory buildings that do not dominate the landscape. c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.	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 High Voltage Transmission Lines 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 ' buildings '. 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.

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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: 10 12.5% of the total allotment area <u>This standard does not apply to:</u> <u>a. Artificial crop protection structures</u> <u>b. Greenhouses</u>	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 <u>RPROZ-RX – Seasonal Worker Accommodation</u> <u>Activity Status: PER</u> <u>1. The establishment of a new, or expansion of existing seasonal worker accommodation.</u> <u>Where:</u> <u>a. The seasonal worker accommodation is associated with horticultural activity</u> <u>b. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities</u> <u>c. The accommodation provides for no more than 12 workers</u> <u>d. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u> <u>Where this activity complies with the following rule requirements:</u> <u>4b.2.5 – Maximum height</u>	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	4b.2.6 – Setbacks <u>Activity status when compliance not achieved:</u> <u>2. When compliance with RPROZ-RX</u> <u>1. (a)-(d) is not achieved: RDIS Matters of discretion:</u> <u>Those matters in RPROZ-RX 1. (a)-(d) that are not able to be met</u> <u>Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control</u> <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> <u>4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u> <u>Note: HortNZ has elsewhere in this submission sought definitions be included for Seasonal Worker Accommodation.</u>	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 <u>This standard does not apply to:</u> <u>a. Artificial crop protection structures</u>	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 <u>habitable</u> dwellings and minor residential units from the front boundary ii. 15 20 metres from all other boundaries. vii. <u>Artificial crop protection and support structures must be setback at least 1m from all site boundaries</u>	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.

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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. Be no larger than 100m2 Not exceed a GFA of 65m2; in size. b. Be located no greater than 20 15 metres from the primary residential unit. c. Share an accessway/driveway with the primary residential unit. 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.	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 home business purposes , shall have a gross floor area less than 100 50 m2 for indoor activities, or 100m2 of land area for and outdoor activities. Include PER for home business <u>PER - 1 The home business is undertaken within:</u> <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> <u>PER-2 There is no more than two full-time equivalent persons engaged in the home business who reside off-site</u> <u>PER-3 Hours of operation are between:</u> <u>7am-8pm Monday to Friday.</u> <u>8am-8pm Weekends and public holidays.</u> i. 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 100m2 of land area for outdoor activities; <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>	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 PER-1 <u>The use is for the protection of crops from frost only</u> 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. 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 PER- 4: Frost fans are only operated when the air at canopy height is 2 degrees C or less Activity status when compliance not achieved: RDIS: Matters of discretion are restricted to: Operational requirements of frost control fans: Proximity to a residential area or dwelling including the visual effects; Noise mitigation measures; Generation of noise with special audible characteristics; Frequency and duration of operation Location, orientation Monitoring and reporting	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.

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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	Include NOISE – RX, Activity status: Permitted <u>Where: PER-1</u> <u>Bird scaring devices must only be used between 7.00am and 7.00pm on any calendar year</u> <u>PER-2: Bird scaring events from any device shall operate at:</u> <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> <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> <u>The audible bird scaring device complies with standard:</u> <u>NOISE -4b.4.13 Maximum Noise Levels.</u> <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> <u>Activity status where compliance not achieved with PER -1 or PER -2: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>The level, hours of operation, duration and nature of the noise;</u> <u>Proximity and nature of nearby activities and the adverse effects they may experience from the noise;</u> <u>The existing noise environment;</u> <u>Effects on character and amenity values on the surrounding environment;</u> <u>Effects on the health and wellbeing of people; and</u> <u>Any noise reduction measures.</u> <u>Activity status where compliance not achieved with PER-3: Non-complying</u>	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	Amend to be consistent with National Planning definition: Nothing in the foregoing Performance Standards shall apply to primary production activities 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).	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	Amend as follows: Maximum of one sign per allotment 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. ii. Signage must relate to the activity undertaken on the allotment. iii. No flashing, reflectorised or illuminated signage. 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. EXCEPTIONS:	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	Amend i. The maximum height of a building shall not exceed 10 12 metres	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.

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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 habitable dwellings and minor residential units from the front boundary iv. 15 20 metres from all other boundaries. vii. Artificial crop protection and support structures must be setback at least 1m from all site boundaries	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> <u>PER-2: There is no more than two full-time equivalent persons engaged in the home business who reside off-site</u> <u>PER-3: Hours of operation are between: 7am-8pm Monday to Friday. 8am-8pm Weekends and public holidays.</u> <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 100m2 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—1m².</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, 2m² total face area, for the sale of land or buildings. The maximum total of sign area on any site must not exceed 1.5m2. 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: 8 10 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.

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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 controlled activity , <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 where the resulting lots are less than 10 hectares , 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.

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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 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 PPC38-43 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 Rural Industry , 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, including conflict with activities in neighbouring Environments , 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): 4b.1.5 Commercial and industrial activities, and home businesses, i. A commercial, industrial activity or home business which complies with the performance standards is a permitted activity. 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.... <u>iii. 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> 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 2. Noting previous relief seeking inclusion of the definition of Rural Industry from the National Planning Standards 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 100m2 for indoor activities, or 100m² 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, 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 100m2 for indoor activities, or 100m² 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 geothermal <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, and other activities that have a locational need 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	Amend as follows 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	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 <u>or other lawfully established activities in the Rural Environment.</u> 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, <u>papakāinga</u> 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 - •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.
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 <u>(including waste facilities)</u> 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 limiting <u>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 <u>(unless necessary for regional or national infrastructure)</u> 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.

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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 Restricted Discretionary <u>Controlled</u> activity iii. Papakainga on general land owned by Maori is a Restricted Discretionary <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 discretion <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, Papakāinga 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.

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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.

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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, <u>accommodation, tourism activity</u> 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.

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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.

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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.

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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.

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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 ahs 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.

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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 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.
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 <u>where the boundary of the lots is within 300m of the General Rural Environment boundary is a discretionary activity</u>	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 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.
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: <u>new</u> 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 <u>*except where the activity is lawfully established</u>	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: Manage heavy vehicle movements to minimise damage to the transport network and adverse impacts on road safety.	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 and including but excluding sawmilling equipment <u>generally</u> (e.g. for milking, spraying, harvesting, packing, forest harvesting, <u>wood processing</u> 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: 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, <u>and</u> dairy farming and geothermal/electricity generation . Insert a new definition of Renewable Electricity Generation as follows (being the same definition in the NPS-REG): Renewable electricity generation 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: Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources <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: 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. <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: Objective 3b.2.X Renewable Electricity Generation and Transmission Activities <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 and renewable electricity generation and transmission activities are enabled in appropriate locations within 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, and 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: Policy 3b.2.9 Maintaining the established Rural character Enable activities in the General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: <u>a) Extensive pastoral farming and forestry</u> <u>b) Structures associated with Renewable Electricity generation Activities</u> <u>c) Geothermal areas and activities, electricity transmission and distribution</u> <u>d) Large open spaces between built structures</u> <u>e) A mix of residential and rural industry buildings</u> <u>f) Noises related to production activities during the day but low levels of noise at night</u> <u>g) Low levels of light spill</u> <u>h) Effects from activities including noise, vibration, odour and visual effects</u> <u>i) Infrequent vehicle movements to and from a site</u> <u>j) Limited signage that directly relates to the activity operating on the site.</u>	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: <u>a) Increase the demand for community infrastructure and services...</u> <u>d) Result in the potential to generate reverse sensitivity effects.</u> <u>e) 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: Objective 3b.3.1 Enable Rural Residential Activities <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

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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, including conflict with 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: Objective 3b.2.6 Impacts on community infrastructure 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.
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, and to further protect the character of the Rural Lifestyle Environment <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 mitigate <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, and 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

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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>4b.1.4 Electricity Generation Core Sites, Renewable Electricity Energy Generation Activities and Geothermal Areas Steamfields</p> <p>i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas <u>steamfield</u>, renewable energy <u>electricity</u> generation activities and associated structures <u>and ancillary activities</u> is a permitted activity.</p> <p>ii. Activities associated with the investigation, identification and assessment of potential sites <u>and energy sources for renewable electricity generation by existing and prospective generators</u> are a permitted activity.</p> <p>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 <u>of 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"> •Wheao and Flaxy •Kuratau •Hinemaia 	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.
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>4b.1.7 Buildings and Structures in proximity to High voltage transmission lines</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>	Reject. Structures are covered within the definition of building and the term "renewable electricity generation activities" is too broad.

Sensitivity: General

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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 within an Electricity Generation Core Site. 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 allotment – 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

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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: 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: 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: 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: 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 adverse effects generated by an <u>new sensitive activity</u> must be managed within the allotment so as to avoid adversely affecting reverse sensitivity effects <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.

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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 restricted discretionary activity . When considering activities under Rule 4b.1.5 <i>ii</i> 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 within 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

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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. View full submission for map.	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 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, <u>and</u> dairy farming and geothermal/electricity generation.	Reject. Other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards.

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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: ... 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, 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, <u>renewable electricity generation activities</u> , and rural industry, meaning an activity being activities that directly supports, services, or is are dependent on primary production and or <u>has</u> a locational or functional 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	Primary production 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 and or <u>have a locational functional or operational</u> need to be within the General Rural Environment.... Rural Lifestyle Environment ... 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. ... By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the open space characteristics <u>rural character</u> and the 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 closer <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. Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources 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 its <u>their</u> productive capability.	Accept the amendments as proposed.

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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: 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. <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: Objective 3b.2.X Renewable Electricity Generation and Transmission Activities <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: Objective 3b.2.4 Other activities Maori cultural activities, tourism activities, <u>and</u> visitor accommodation and renewable electricity generation and transmission activities are enabled in <u>appropriate locations 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 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: Objective 3b.2.5 Avoidance of reverse sensitivity Reverse sensitivity effects on permitted, and 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.
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: Objective 3b.2.6 Impacts on infrastructure The impacts on infrastructure arising from subdivision and development are managed <u>do not compromise the safe and efficient functioning of infrastructure.</u>	Accept proposed amendment as it strengthens the objective.

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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: Policy 3b.2.9 Maintaining the established Rural character Enable activities in the Maintain the established General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: <u>a) Extensive pastoral farming and forestry</u> <u>b) Renewable Electricity Generation Activities</u> <u>c) 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) Noises related to production activities during the day but low levels of noise at night d) Low levels of light spill <u>f) Effects from activities including noise, vibration, dust, odour and visual effects</u> eg) Infrequent vehicle movements to and from a site 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: Policy 3b.2.10 Residential units 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- <u>d) Result in the potential to generate reverse sensitivity effects.</u> <u>e) 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: Policy 3b.2.12 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 <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: Policy 3b.2.13 Avoiding reverse sensitivity Any adverse effects generated by an new sensitive activity must be located and managed within the allotment so as to avoid adversely affecting reverse sensitivity effects on 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: Policy 3b.2.14 Commercial and industrial activity 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.

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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: <u>Objective 3b.3.1 Enable Rural Residential Activities</u> <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: <u>Objective 3b.3.2 Avoid reverse sensitivity</u> <u>Adverse reverse sensitivity effects, including conflict with on permitted, and legally established and/or consented activities in neighbouring Environments, are avoided.</u>	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: <u>Objective 3b.3.3 Commercial and industrial activities</u> <u>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.</u>	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: <u>Objective 3b.2.6 Impacts on community infrastructure</u> <u>The impacts on community infrastructure arising from subdivision and development are managed 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 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

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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: Policy 3b.3.12 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.	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 mitigate <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, and 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.

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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	<p>Retain Rule 4b.1.4, and amend it as follows, including new clause (ii).</p> <p>4b.1.4 Electricity Generation Core Sites, Renewable <u>Electricity</u> Energy Generation Activities and Geothermal Areas Steamfields</p> <p>i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas steamfield, renewable energy <u>electricity</u> generation activities and associated structures and ancillary activities is a permitted activity.</p> <p><u>ii) 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, 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 <u>of 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>
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	<p>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 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.</p>	<p>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.</p>
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	<p>Amend Rule 4b.1.5 as follows:</p> <p>i....</p> <p>When considering activities under Rule 4b.1.5<i>ii</i> Council restricts the exercise of its discretion to the following matters:</p> <p>a. The daily vehicle movements expected to and from the allotment.</p> <p>b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.</p> <p>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....</p>	<p>Accept amendments as proposed.</p>
OS68.40	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.7 High voltage transmission lines	Seek amendment	<p>Amend Rule 4b.1.7. as follows:</p> <p>4b.1.7 Buildings and Structures in proximity to Hhigh voltage transmission lines</p> <p>i. Any building <u>or structure</u> (except network utilities and Renewable Electricity Generation Activities) 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>
OS68.41	Hayley	Stronge		Mercury	Plan Change 42 - General Rural and Rural Lifestyle Environments > 4b.1.8 Buildings within Outstanding Landscape Areas	Seek amendment	<p>Retain Rule 4b.1.8 but amend the first exception to the rule as follows:</p> <p>EXCEPTION: This rule will not apply to the erection of structures:</p> <p>a. <u>Associated with existing renewable electricity generation activities including</u> Wwwithin Electricity Generation Core Sites.</p> <p>b. ...</p>	<p>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.</p>

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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: 4b.2.5 Maximum building height i.... iv. 15 meters for <u>renewable Electricity Generation activities</u> on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site. 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 allotment – 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: 4b.2.6 Minimum building setbacks i.... v. There shall be no front boundary setback for buildings and activities associated with Electricity Generation and Renewable Energy <u>Electricity Generation Activities</u> 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 <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.

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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): 4b.2.7 Minor residential units 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: 4b.2.8 Commercial and industrial activities, and home businesses i. ... iii. Home businesses shall be located no closer than the existing primary residential unit on the <u>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: 4b.2.13 Maximum Noise – Other 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</u> Electricity Generation <u>Activities</u> Core <u>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: 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: 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.

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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: 4e.2.1 Foreshore Protection ... 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.	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.

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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

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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, private use of aircraft (excluding helicopters) , 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 providing 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

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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: Section 19, Block II, Tuhingamata East, SD. SA50A/550 ("Site")	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: "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. 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	Oppose Item ii That any subdivision below 10 hectares in the Rural Zone is Noncomplying. Discretionary Development 4- 10 hectares should be retained .	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): 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. 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.

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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.

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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	<p>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.</p> <p>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></p>	<p>Reject. Other submission points have been accepted in relation to replacing the definition for 'rural industry' to be consistent with national planning standards.</p> <p>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.</p>
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	<p>Amend. Policy 3b.3.9 Character of the Rural Lifestyle Environment Manage the anticipated character of the Rural Lifestyle Environment as defined by:</p> <p>a) ...</p> <p>e) An environment which includes residential activities, rural productive <u>primary production</u> activities and home business activities.</p> <p>f)...</p>	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.

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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. Please view full submission for map.	Reject. This is more than 300 Ha of land which is not currently Rural Lifestyle in character.

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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, <u>agricultural aircraft and support vehicles</u>, 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.

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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 locational 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 locational 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.

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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: •... • Infrequent <u>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.

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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 <u>developed</u> maintained 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.

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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 retail <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> •... •... • <u>The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.</u> • <u>The hours of operation for the activity.</u> • <u>The proposed signage associated with the activity.</u>	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: • <u>The daily vehicle movements expected to and from the allotment.</u> • <u>The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.</u> • <u>The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.</u> • <u>The hours of operation for the activity.</u> • <u>The proposed signage associated with the activity.</u> 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 <u>for dwellings, and minor residential units and other buildings</u> from all other boundaries. And Amend to include <u>4b.1.11 Building setback</u> <u>Infringement of Rule 4b.2.6 is a restricted discretionary activity</u>	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).

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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. • 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.

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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.4.9Home business, commercial, and <u>industry retail</u> activities •Any indoor or outdoor space used for a home business, commercial or <u>retail industry</u> purposes, shall be less than 100m ² in gross floor area for indoor activities, or 100m ² 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.

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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 discretionary <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 non-complying <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 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.
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 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.
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. 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>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. 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	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

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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	<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. 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.</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.
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	<p>Delete the objective and amend the objective to read:</p> <p><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></p>	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

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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.

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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 animal boarding facilities and stables . 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 ² plus 18m ² 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.

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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.

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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 Rural Industry 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>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, <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>General Rural Environment 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. Yet allowing appropriate development to occur while preserving the ‘<u>openness</u>’-<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 and <u>/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>Primary production 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 and <u>/or have</u> a locational <u>functional or operational</u> need to be within the General Rural Environment...</p> <p>Rural Lifestyle Environment ... 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 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 <u>rural character</u> and <u>the</u> productive potential of the rest of the Rural Environment... ...The Rural Lifestyle Environment areas are located closer <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. Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources Primary production <u>and the use of natural resources</u> is enabled by protecting the availability of the rural land <u>and other resources</u> and <u>its their</u> 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: 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. <u>Enable a range of productive 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.
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: Objective 3b.2.4 Other activities Maori cultural activities, tourism activities, <u>and</u> visitor accommodation and renewable electricity generation and transmission activities are enabled in <u>appropriate locations within</u> 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: Objective 3b.2.5 Avoidance of reverse sensitivity Reverse sensitivity effects on permitted, and legally established, <u>and/or consented</u> 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: Objective 3b.2.6 Impacts on infrastructure The impacts on infrastructure arising from subdivision and development are managed <u>do not compromise the safe and efficient functioning of infrastructure.</u>	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: Policy 3b.2.9 Maintaining the established Rural character Enable activities in the Maintain the established General Rural Environment <u>that will not compromise the character of the General Rural Environment</u> , as defined by: <u>a) Extensive pastoral farming and forestry</u> <u>b) Renewable electricity generation activities</u> <u>c) Geothermal steamfields, electricity transmission and distribution</u> ad) Large open spaces between built structures bg) A mix of residential and rural industry buildings c) Noises related to production activities during the day but low levels of noise at night d) Low levels of light spill <u>f) Effects from activities including noise, vibration, odour and visual effects</u> 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: Policy 3b.2.10 Residential units 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: <u>d) Result in the potential to generate reverse sensitivity effects.</u> <u>e) 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.

Sensitivity: General

Plan Change 42, General Rural and Rural Lifestyle - Summary of Decisions Sought

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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: Policy 3b.2.12 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 <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: Policy 3b.2.13 Avoiding reverse sensitivity Any adverse effects generated by an new sensitive activity must be managed within the allotment so as to avoid adversely affecting reverse sensitivity effects on 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: Policy 3b.2.14 Commercial and industrial activity 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.
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: Objective 3b.3.1 Enable Rural Residential Activities <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: Objective 3b.3.2 Avoid reverse sensitivity Adverse reverse sensitivity effects, including conflict with 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: 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 <u>Rural Lifestyle</u> Environment 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: Objective 3b.2.6 Impacts on community infrastructure The impacts on community infrastructure arising from subdivision and development are managed <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

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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: Policy 3b.3.9 Character of the Rural Lifestyle Environment 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: Policy 3b.3.12 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 Rural Lifestyle Environment and to avoid reverse sensitivity effects.	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 mitigate <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, and 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: 4b.1.4 Electricity Generation Core Sites, Renewable Energy Electricity Generation Activities and Geothermal Steamfields Areas i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal steamfields areas , renewable energy electricity generation activities and associated structures <u>and ancillary activities</u> 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 , 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

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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 of similar character and scale , 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 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.	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 <i>ij</i> 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</u> Hhigh 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 restricted discretionary activity . EXCEPTION: This rule will not apply to the erection of structures: a. <u>Associated with existing renewable electricity generation activities including</u> W 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.
OS84.39	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.

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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: 4b.2.13 Maximum Noise – Other 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</u> Electricity Generation <u>Activities</u> Core sites . 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: ... 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: ... 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.
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</u> 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.	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

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

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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: Objective 3b.2.6 Impacts on essential infrastructure The impacts on <u>essential</u> infrastructure arising from <u>inappropriate</u> subdivision, <u>use</u> and development are <u>managed avoided, remedied or mitigated where it is possible to do so.</u> (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.

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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.

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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 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, 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): Renewable electricity generation 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: 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.	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: 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, yet allowing appropriate development to occur while preserving the <u>rural character</u> 'openness' 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 and/or <u>has</u> a locational <u>or functional</u> need to be within the General Rural Environment (rather than an urban environment).	Accept in full.

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OS93.26 cont	Mark	Chrisp		Contact Energy Limited	Plan Change 42 - General Rural and Rural Lifestyle Environments > 3b.1 Introduction	Seek amendment	<p>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...</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 <u>or</u> have a location <u>functional or operational</u> need to be within the General Rural Environment....</p> <p>Rural Lifestyle Environment</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 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 <u>rural character</u> and the 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 closer in proximity 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>Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources</p> <p>Primary production and the use of natural resources are is enabled by protecting the availability of the rural land and other resources and its <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>Objective 3b.2.2 Maintaining the established General Rural character</p> <p>The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided.</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>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</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.

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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: Objective 3b.2.4 Other activities Maori cultural activities, tourism activities, <u>and</u> visitor accommodation and renewable electricity generation and transmission activities are enabled in <u>appropriate locations within</u> the 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: Objective 3b.2.5 Avoidance of reverse sensitivity Reverse sensitivity effects on permitted, and 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.
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: Objective 3b.2.6 Impacts on infrastructure The impacts on infrastructure arising from subdivision and development are managed <u>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: Policy 3b.2.9 Maintaining the established Rural character Enable activities in the Maintain the established 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) ... c) Noises related to production activities during the day but low levels of noise at night d) Low levels of light spill f) <u>Effects from activities including noise, vibration, dust, odour and visual effects</u> 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.
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: Policy 3b.2.10 Residential units 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.

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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: Policy 3b.2.12 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 <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: Policy 3b.2.13 Avoiding reverse sensitivity Any adverse effects generated by a new sensitive activity must be managed within the allotment so as to avoid adversely affecting <u>reverse sensitivity effects on permitted, and lawfully established 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: Policy 3b.2.14 Commercial and industrial activity 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.
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: Objective 3b.3.1 Enable Rural Residential Activities <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: Objective 3b.3.2 Avoid reverse sensitivity Adverse reverse sensitivity effects, including conflict with 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: 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 <u>Rural Lifestyle</u> Environment 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.

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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: Objective 3b.2.6 Impacts on community infrastructure 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: Policy 3b.3.12 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 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 mitigate <u>avoid</u> adverse effects, <u>including reverse sensitivity effects</u> , through the use of screening, planting, landscaping, and 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.

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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: 4b.1.4 Electricity Generation Core Sites, Renewable Electricity Energy Generation Activities and Geothermal Areas Steamfields i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas <u>steamfields</u> , renewable energy <u>electricity</u> generation activities and associated structures <u>and ancillary activities</u> is a permitted activity . 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, <u>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 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.
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 of similar character and scale , 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 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>	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: 4b.1.7 Buildings and Structures in proximity to High voltage transmission lines 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 .	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 W</u> 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.

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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: 4b.2.5 Maximum building height ... iv. 15 meters for <u>renewable</u> Electricity Generation <u>activities</u> on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site. 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 allotment – 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: 4b.2.6 Minimum building setbacks i.... v. There shall be no front boundary setback for buildings and activities associated with Electricity Generation and Renewable Energy <u>Electricity Generation Activities</u> 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 <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: 4b.2.7 Minor residential units ... 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."

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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: 4b.2.8 Commercial and industrial activities, and home businesses 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 than 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: 4b.2.13 Maximum Noise – Other ... 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</u> Core -sites. 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.

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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: ...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: ... 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.	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.

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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). View full submission bundle for map.	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. View full submission for map.	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.

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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.

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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): <i>“Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan”</i> 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): <i>“Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan”</i> 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): <i>“Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan”</i> 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): <i>“Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the Plan”</i> 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. View full submission for map.	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.

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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. View full submission for map.	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 4b.2.5 , 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: 4b.4.2 Maximum building coverage i. 10% of the total allotment area 4b.4.3 Maximum building size 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: SUB-SX Firefighting water supply <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 transmission line.</i> <i>b. Any effects on the safe and efficient functioning of the transmission 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 transmission line.</i> <i>b. Any effects on the safe and efficient functioning of the transmission 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 or Industry Development Guidelines and Structure Plans.</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: Policy 3b.2.14 Commercial and industrial activity <u>(excluding rural industry)</u> Limit the scale of commercial and industrial activity <u>(excluding rural industry)</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 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' per day 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 ² for indoor activities, or 100m ² 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.

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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> • <u>37 metres for 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers);</u> • <u>39 metres for 350kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).</u> <u>View full submission for illustration.</u>	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> <u>View full submission for illustration.</u>	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.

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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 and transmission activities are enabled in the General Rural Environment. Add the following new objectives to 3b.2: <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.

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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><i>4b.x.x Buildings, structures and activities in the National Grid Yard</i></p> <p><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></p> <p><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></p> <p><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></p> <p><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.

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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	Insert new performance standards for buildings, structures and activities in the National Grid Yard for each rural zone as follows: <u>1. The activity, building or structure is not a sensitive activity.</u> <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> <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> <u>a. a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.</u> <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> <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>	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	<u>d. undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.</u> <u>4. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.</u> <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> <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> <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> <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> <u>c. undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid</u>	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	Insert a new rule for earthworks or vertical holes in the National Grid Yard in each rural zone as follows: <u>4b.x.x Earthworks or vertical holes in the National Grid Yard</u> <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> <u>ii. Earthworks or vertical holes which do not comply with performance standard 4b.x.x are a non-complying activity.</u> <u>The Council restricts its discretion to the following matters:</u> <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> <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> <u>c. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u> <u>d. Technical advice provided by Transpower.</u> <u>Notification:</u> <u>Application for resource consent under this rule will be decided without public notification.</u> <u>Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.</u>	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.

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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	Insert new performance standards for earthworks or vertical holes in the National Grid Yard in each rural zone as follows: <u>1. Earthworks or vertical hole/s must not:</u> <u>a. Exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;</u> <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> <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> <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>	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	<u>The following earthworks or vertical holes activities are exempt from Rule 1.a and Rule 1.b above:</u> <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> <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> <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> <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>	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	Insert a new rule for subdivision in the National Grid Substation Buffer as follows: <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> <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> <u>ii. Vehicle access to National Grid assets is maintained.</u> <u>A subdivision that does not meet these requirements is a non-complying activity.</u> <u>The Council reserves its control over the following matters:</u> <u>1. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation.</u> <u>2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u> <u>3. Measures proposed to avoid potential adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and development of the substation.</u> <u>4. Technical advice from an electrical engineer specialising in electricity transmission.</u> <u>5. The outcome of any consultation with Transpower.</u> <u>6. Whether the building, structure or sensitive activity could be located further from the substation.</u> <u>Notification: An application for resource consent under this rule will be decided without public notification.</u> <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>	Accept in part. An additional matter of control has been included to address subdivision within the national grid corridor.

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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.

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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, <u>including reverse sensitivity effects</u>, 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: <u><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></u>	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, and</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. Please refer to full bundle of submissions for Attachment 1.	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.

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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 state highway.</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. One primary residential unit per site where access is reliant on a state highway.</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. 8 5 LUX (lumens per square meter) at the boundary.</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.

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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.

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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, 2m² 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.

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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 “ <u>formal protection and enduring ecological management</u> ” 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

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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.

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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: <u>Objective 3b.2.X Renewable Electricity Generation and Transmission Activities</u> <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,¹ 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.

¹ *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.²

² 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.³
 - b. Minute 6 issued by the Panel directing:⁴
 - 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).⁵
 - e. Evidence filed by⁶ and on behalf of the submitter and, where the latter was concerned, relating to planning, landscape, design, ecology, engineering, transportation and economics matters.⁷
 - 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.⁸
 - 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.⁹
 - h. Advice on matters of scope prepared by Mr James Winchester, barrister, for the Council, and addressing direction i. in Minute 6 above.¹⁰

³ *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023

⁴ *Minute 6 of the Independent Hearing Panel*, 27 July 2023

⁵ *Section 42A of the RMA Report by Craig Sharman*, 28 July 2023, Section 5.10

⁶ *Statement of Evidence of Steve Hawkins*, 11 August 2023

⁷ 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.

⁸ *Joint Witness Statement – Planning*, undated (presumably 14 August 2023)

⁹ *Statement of Evidence Hilary Samuel*, 14 August 2023

¹⁰ *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).¹¹
 - 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.¹²
 - 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 OS74.¹³
 - 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.¹⁴
 - m. A third memorandum filed on behalf of the submitter responding to specific matters arising during the hearing unrelated to matters of scope.¹⁵ 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.¹⁶
 - 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.¹⁷
 - o. Post-hearing evidence and information filed on behalf of the Council relating to landscape, geotechnical and economics matters.¹⁸
 - 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 OS74.¹⁹ 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

¹¹ *Section 42A Supplementary Statement by Craig Sharman*, 16 August 2023

¹² *Second Memorandum on Behalf of Steve Hawkins*, 21 August 2023

¹³ *Plan Change 42 to the Taupō District Plan – Peer Review Opinion on Scope – Submission by Steve Hawkins*, 22 August 2023

¹⁴ *Minute 16 of the Independent Hearing Panel*, 28 August 2023

¹⁵ *Third Memorandum on Behalf of Steve Hawkins*, 1 September 2023

¹⁶ *Supplementary Statement of Evidence of Stephanie Louise Blick*, 1 September 2023

¹⁷ *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

¹⁸ Prepared by Simon Button (landscape), Maddison Phillips (geotechnical) and Philip Osborne (economics), dated 20 – 22 September 2023.

¹⁹ *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.²⁰ 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

²⁰ 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."*²¹
- 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.²² 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'.²³
- 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;²⁴ we also accept that. However, in relation to the

²¹ *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, para 6

²² *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, para 7

²³ *Memorandum on behalf of Steve Hawkins*, prepared by James Gardner-Hopkins, project manager for the submitter, 25 July 2023, paras 15 - 28

²⁴ *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."*²⁵

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.²⁶

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.²⁷

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.²⁸ 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.²⁹

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"*³⁰ and

²⁵ Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins, 14 August 2023, para 25

²⁶ Plan Change 42 to the Taupō District Plan – Advice on Scope – Submission by Steve Hawkins, 14 August 2023, pars 12 – 24

²⁷ Second Memorandum on Behalf of Steve Hawkins, 21 August 2023, paras 11 – 26

²⁸ Plan Change 42 to the Taupō District Plan – Peer Review Opinion on Scope – Submission by Steve Hawkins, 22 August 2023

²⁹ 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

³⁰ 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."³¹ 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."³²

- 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."*³³

- 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."*³⁴

- 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."*³⁵

- 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

³¹ 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

³² 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

³³ 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

³⁴ Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, para 37

³⁵ 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.³⁶
- 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.³⁷
- 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.³⁸ 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.

³⁶ *Third Memorandum on Behalf of Steve Hawkins*, 1 September 2023, para 11

³⁷ *Section 42A Supplementary Statement by Craig Sharman*, 16 August 2023, para 8

³⁸ *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.³⁹ 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.⁴⁰

- 3.9 Nonetheless, reading the materials at a broader level, it is apparent that, to avoid

³⁹ Section 32 Evaluation Report: Plan Change 42 Rural Chapter – General Rural Environment and Rural Lifestyle Environment, undated

⁴⁰ 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."*⁴¹

- 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.⁴²

- 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.⁴³ 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.⁴⁴ 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.⁴⁵

- 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

⁴¹ Section 42A of the RMA Report by Craig Sharman, 28 July 2023, para 119

⁴² Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, paras 13 – 14

⁴³ Waikato Regional Council – Letter to be Tabled for Plan Change 42, General Rural and Rural Lifestyle Environments, 14 August 2023, para 15 – 16

⁴⁴ Statement of Evidence Hilary Samuel, 14 August 2023, Attachment 1

⁴⁵ 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.⁴⁶
- 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.⁴⁷ In economic evidence presented on behalf of the submitter,⁴⁸ 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."⁴⁹ 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.

⁴⁶ Section 42A of the RMA Report by Craig Sharman, 28 July 2023, para 119

⁴⁷ Statement of Evidence of Philip Osborne on behalf of the Taupō District Council – Economics, 27 July 2023, para 8.5

⁴⁸ Statement of Evidence of Fraser Colegrave, 9 August 2023

⁴⁹ 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."*⁵⁰

- 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 criteria⁵¹ and was therefore unsuitable for inclusion in the RLE Zone.⁵²
- 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,⁵³ 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.⁵⁴ 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.

⁵⁰ Section 42A Supplementary Statement by Craig Sharman, 16 August 2023, para 26

⁵¹ 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

⁵² Section 42A Reply Statement by Craig Sharman, 16 October 2023, para 23

⁵³ Right of Reply – Advice Statement of Simon Leigh Button on behalf of the Taupō District Council – Landscape, 20 September 2023

⁵⁴ 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.⁵⁵
- 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 space⁵⁶ and agree that matters such as these are potentially resolvable given time and resourcing;⁵⁷ 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."*⁵⁸ 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

⁵⁵ s32(2)(c), RMA

⁵⁶ Refer *Supplementary Statement of Evidence on Stephanie Louise Blick*, 1 September 2023

⁵⁷ *Section 42A Reply Statement by Craig Sharman*, 16 October 2023, para 20

⁵⁸ *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