

# Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

## Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 41. Residential Zone, Railway Cottage  
Cluster Precinct – PREC1 and Te Kumi  
Commercial Precinct – PREC2

19 June 2025

Commissioners

Greg Hill (Chair)

**Wikitōria Tāne**

Allan Goddard

Phil Brodie

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# 1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 41 – Residential Zone, Railway Cottage Cluster Precinct – PREC1 and Te Kumi Commercial Precinct – PREC2. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9).
2. The residential zone covers Te Kūiti and Piopio, which is where the majority of the district’s population live. The zone ensures that the development and land use activities are coherent and consistent, while enabling residential use. In particular, the zone seeks to give effect to the relevant overarching strategic objectives of the plan contained in chapter 16, especially those relating to meeting the minimum targets for housing capacity, and integration of residential development with community infrastructure.
3. The residential zone also includes the railway cottage cluster precinct (PREC1) and the Te Kumi commercial precinct (PREC2). PREC1 aims to protect the unique, historic character elements of the railway cottages. PREC2 has been established to allow the ongoing operation of businesses that are currently located at the **northern entrance of Te Kūiti without applying some of the more limiting provisions of the underlying residential zone.**

# 2. Hearing arrangements

4. The hearing was held in person and online on 27 and 28 November 2024 in **Council’s offices at 15 Queen Street, Te Kuiti. All of the relevant information** pertaining to this hearing (i.e., Section 42A Reports, legal submissions and evidence) is **contained on Council’s website.**
5. The following parties submitted on this Chapter.

Submission No	Submitter
24	Ministry of Education
36	<b>Kāinga Ora</b>
16	Fire and Emergency New Zealand
47	Forest and Bird
17	New Zealand Transport Agency
20	Ara Poutama- Department of Corrections
50	Te Nehenehenui Trust
38	Te Tokanganui-a-noho Whare
03	Heritage New Zealand Pouhere Taonga
FS36	Kainga Ora
FS20	Sheryl Paekau
FS27	New Zealand Transport Agency / Waka Kotahi

6. The Panel heard from Ms Neda Bolouri appearing for the Ministry of Education at the hearing on 27 November 2024.

### 3. Submitter evidence

7. In her evidence and in response to questions from the Panel, Ms Bolouri:
- Generally agreed with the recommendations in the Section 42A Report.
  - Requested that RESZ-R12 be amended to remove **'educational facilities'** from the list of discretionary activities and that a new provision be added to enable educational facilities as a restricted discretionary activity in the zone.

### 4. Panel decision

8. Having considered the submissions and evidence presented, the Panel **acknowledged the general support for the PDP's amended provisions.**
9. The Panel agrees with the aim of the zone, which is to ensure that the development and land use activities are coherent and consistent, while enabling residential use to provide for noise generating activities within acceptable and appropriate limits. In regard to PREC1 to protect the unique, historic character elements of the railway cottages and PREC2 to allow the ongoing operation of **businesses that are currently located at the northern entrance of Te Kūiti without** applying some of the more limiting provisions of the underlying residential zone. The Panel found that:
- The extent of the residential zone has been determined regarding likely future growth and demand, and the ability of infrastructure to service development. Also, the need to ensure that new residential development is designed and located to manage significant risks from natural hazards.
  - The standards in this zone have been designed to meet housing needs in a manner which provides a high level of flexibility for on-site design (i.e. there is provision for a range of housing typologies) while managing adverse effects on adjoining properties and the zone as a whole.
  - There is a need to protect the heritage values of the railway cottage cluster precinct (PREC1).
  - There is a need to continue to provide for the business and retail characteristics of the Te Kumi commercial precinct (PREC2) while avoiding further expansion of commercial activities outside of the precinct to protect **the Te Kūiti town centre.**
10. Ms Bolouri sought to amend RESZ-R12 by **removing 'educational facilities' from** the list of discretionary activities and adding a new provision to enable educational facilities as a restricted discretionary activity in the zone. The Panel considers there is not sufficient justification to support this request for the following reasons:
- Given the broad range of activities provided for within the definition of **'educational facilities' and the need to control the range of adverse effects** that would be potentially generated by an educational facility in the

residential zone, it would not be appropriate to provide for them as a restricted discretionary activity.

- The anticipated future population growth in the Waitomo district is low (currently population decline is predicted over the next 30 years), and the likelihood of requiring an additional educational facility in the district over the life cycle of the plan is very unlikely.
- The Ministry is a requiring authority and has the ability to designate land should it wish to do so.

11. Otherwise, unless stated in the Panel decision above, the Panel has elected to adopt the outcomes of the Section 42A Report. No further amendments were made in the Section 42A Addendum Report on this chapter. The Section 42A Report is attached as Appendix 4.

## 5. Conclusion

12. The Panel accepts the recommendations in the Section 42A Reports and the evidence filed by the submitters. The reasons for this are those set out in the Section 42A Reports, the evidence, and provided in this Decision; collectively forming the Section 32AA Assessment informing this Decision.
13. Overall, the Panel is satisfied that the provisions of the chapter, as amended, will provide a suitable framework for managing activities in the residential zone and PREC1 and PREC2, while managing any adverse effects.
14. The Panel accepts, accepts in part, or rejects the submissions as set out in the Section 42A Report and the Section 42A Addendum.

For the Hearing Panel



Greg Hill, Chair

Dated: 19 June 2025

## 6. Appendix 1 – Submitter Table

## RESIDENTIAL ZONE DEFINITIONS - SUBMISSION POINTS IN ORDER OF PLAN PROVISIONS

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
36.01	Kāinga Ora	Support	Allotment shape factor	Retain as notified.	Accept
36.02	Kāinga Ora	Oppose	Co-housing development	Delete the definition for 'Co-housing development'.  And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	Reject
FS20.24	Sheryl Paekau	Oppose		I seek that the provision of Compact Housing/Co Housing be an option for communities that want to live and provide affordable housing, sharing of resources be allowed.	Accept
20.01	Ara Poutama-Department of Corrections	Support	Community corrections activity	Retain as notified.	Accept
20.02	Ara Poutama-Department of Corrections	Oppose	Household	Insert a definition of "household" as follows: household means <u>a person or group of people who live together as a unit whether or not:</u> <u>(a) any or all of them are members of the same family; or</u> <u>(b) one or more members of the group receives care, support and/or</u> <u>(c) supervision (whether or not that care, support and/or supervision is provided by someone paid to do so).</u>	Reject
36.04	Kāinga Ora	Support with amendment	Impermeable surfaces	<b>Amend</b> the definition for 'Impermeable surfaces' as follows:  <i>Impermeable Surfaces</i> <i>means a surface that is not vegetated, does not infiltrate runoff, and prevents or significantly slows the soakage of water into the ground.</i> <i>This includes:</i> <i>(a) roofs; and</i> <i>(b) paved areas including driveways and sealed/compacted metal parking areas; and</i> <i>(c) patios; and</i> <i>(d) sealed and compacted metal roads; and</i>	Accept in part

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
				<p>(e) layers engineered to be impervious such as highly-compacted soil.</p> <p>But excludes:</p> <p>(f) wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck; and</p> <p>(g) <u>grass and bush areas; and</u></p> <p>(h) <u>gardens and other vegetation areas; and</u></p> <p>(i) porous or permeable paving and living roofs; and</p> <p>(j) <u>slatted decks; and</u></p> <p>(k) permeable artificial surfaces, fields or lawns; and</p> <p>(l) swimming pools, ponds and dammed water; and</p> <p>(m) <u>Rain tanks</u></p> <p>Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	
20.03	Ara Poutama- Department of Corrections	Neutral	Managed care facilities	<p><b>Remove the definition of “managed care facilities”, and the associated provisions applying to such throughout the PDP; but</b></p> <p><b>If Council are to retain the “managed care facilities” definition and the associated PDP provisions, then the wording of the definition should be retained as notified.</b></p>	Reject
38.13	Te Tokanganui- a-noho Whare (TTRMC)	Support with amendment	Marae complex	Retain the definition of ‘Marae complex’ with amendments as noted elsewhere in the submission.	Accept in part
FS20.42	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
36.05	Kāinga Ora	Support with amendment	Marae Complex	<p><b>Amend the definition for ‘Marae Complex’ as follows:</b></p> <p><b>an area of land set apart for the common use of mana whenua of Waitomo district and includes a complex of buildings such as wharenui (meeting house), wharekai (dining hall), wharepaku (ablution block), <u>papakāinga housing, wharemoa (visitors sleeping area)</u> and/or other accessory buildings generally associated with a marae or pa. <del>but excludes papakāinga housing developments.</del></b></p>	Reject



Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
				And Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	
FS20.25	Sheryl Paekau	Support		I seek that the definition be amended to include papakaainga.	Reject
38.10	TTRMC	Amend	Marae Complex	<b>Amend</b> the definition for 'Marae complex' to include <b>papakāinga</b> housing developments if approved by duly elected Marae Trustees.	Reject
FS20.39	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Reject
50.12	Te Nehenehenui	Support	Marae complex	Retain as notified.	Accept
FS20.210	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept
36.07	Kāinga Ora	Oppose with amendment	Papakāinga housing development	Amend the definition of 'Papakāinga housing development' as follows:  <u>Papakāinga</u> <u>A development by tangata whenua to be occupied by tangata whenua for residential activities and ancillary social, cultural, economic, conservation and/or recreation activities to support the cultural, environmental and economic wellbeing of tangata whenua.</u>  And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	Accept in part
FS20.26	Sheryl Paekau	Support		I seek to amend by deleting the definite number of 6.	Reject
38.09	TTRMC	Amend	Papakāinga housing development	Amend the definition of 'Papakāinga housing development' as follows: ... more than two but no more than <del>six</del> <u>ten</u> individual papakāinga units which ...	Accept in part

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
FS20.38	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
38.14	TTRMC	Support with amendment	<b>Papakāinga</b> housing development	Retain <b>definition of 'Papakāinga housing development'</b> with amendments as noted elsewhere in the submission.	Accept in part
FS20.43	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
50.14	Te Nehenehenui	Amend	<b>Papakāinga</b> housing development' to 'papakāinga development'	<p>Amend title '<b>papakāinga</b> housing development' to '<b>papakāinga development</b>'.</p> <p><b>Amend the definition of papakāinga housing development to: Papakāinga housing development means a comprehensive residential development for Māori landowners, mana whenua/ tangata whenua residing in the Waitomo District to provide residential accommodation for members of the iwi hapū and also includes communal buildings and facilities such as health centres, community, education and recreational, places of assembly, industrial and commercial activities, which directly associate and link with the communal nature and function of the papakāinga and aligned to te ao Māori</b></p> <p>We welcome the supporting provisions to enable mana whenua to meet cultural and housing needs.</p>	Accept in part
FS20.212	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept in part
36.08	<b>Kāinga Ora</b>	Oppose	<b>Papakāinga units</b>	<p>Delete the definition of '<b>Papakāinga units</b>'.</p> <p><b>And</b></p> <p>Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	Reject
FS20.27	Sheryl Paekau	Support		I seek to have this provision amended and the definition	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
38.15	TTRMC	Support with amendment	<b>Papakāinga units</b>	Retain the definition of 'Papakāinga units' with amendments as noted elsewhere in the submission.	Accept in part
FS20.44	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
50.13	Te Nehenehenui	Support	<b>Papakāinga units</b>	Retain as notified.	Accept
FS20.211	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept in part
20.04	Ara Poutama- Department of Corrections	Support	Residential activity	Retain as notified.	Accept
20.05	Ara Poutama- Department of Corrections	Support	Residential unit	Retain as notified.	Accept
36.09	<b>Kāinga Ora</b>	Oppose	Tiny House	Delete the definition of 'Tiny House'.  And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	Reject
36.10	<b>Kāinga Ora</b>	Oppose	Tiny house development	Delete the definition of 'Tiny House Development'.  And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	Reject

# RESIDENTIAL ZONE, PREC1 and PREC2- SUBMISSION POINTS IN ORDER OF PLAN PROVISION

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
47.169	Forest and Bird	Support with amendment	Overview	<p><b>Amend</b> the overview <b>of the</b> Residential zone chapter <b>to</b> include <b>a sentence</b> about protecting <b>and</b> encouraging improvements <b>to</b> indigenous biodiversity within this <b>zone</b>.</p> <p><b>And add specific</b> objectives, policies <b>and</b> rules to the Residential zone <b>chapter</b> following on from <b>the</b> above.</p> <p><b>And any</b> consequential changes <b>or</b> alternative relief <b>to</b> achieve the relief <b>sought</b>.</p>	Accept in part
47.171	Forest and Bird	New	New Objective	<p>Add <b>a new</b> objective <b>to</b> the Residential zone chapter as follows:</p> <p><u>Ensure new residential development is designed to protect indigenous biodiversity, e.g. known corridors or other habitats used by long-tailed bats.</u></p> <p><b>And any</b> consequential changes <b>or</b> alternative relief <b>to</b> achieve the relief <b>sought</b>.</p>	Reject
47.170	Forest and Bird	Support with amendment	RESZ-O1	<p><b>Amend as follows:</b></p> <p>Maintain <b>a level of amenity that is</b> reflective <b>of the</b> planned urban environment, <u>including the protection of indigenous biodiversity</u>.</p> <p><b>And any</b> consequential changes <b>or</b> alternative relief <b>to</b> achieve the relief <b>sought</b>.</p>	Accept in part
20.07	Ara Poutama- Department of Corrections	Support	RESZ-O2	Retain Strategic Objective.	Accept
10.131	Waikato Regional Council (WRC)	Support	RESZ-O2 and RESZ-O3, RESZ-P1, RESZ-P2 and RESZ-P9	RESZ-O2 and RESZ-O3, RESZ- P1, RESZ-P2 and RESZ-P9 Retain these objectives and policies.	Accept in part
50.26	Te Nehenehenui	Support	RESZ-O2. RESZ-O7. RESZ-P9.9. RESZ-P18.	Retain the following provisions in the Residential Zone: RESZ-O2. RESZ-O7. RESZ-P9.9. RESZ-P18. RESZ-R1. RESZ-R3	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
			RESZ-R1. RESZ-R3		
FS20.224	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept
FS20.240	Sheryl Paekau	Support in part		I seek that this submission be given consideration and take into account the barriers that Māori must overcome in order to use their land sustainably in the future.	Accept
38.91	TTRMC	Support	RESZ-O2	Retain as notified.	Accept
FS20.120	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
17.112	Waka Kotahi	Support	RESZ-O3	Retain as notified.	Accept
16.28	Fire and Emergency New Zealand (FENZ)	Support	RESZ-O3	Retain as notified.	Accept
38.92	TTRMC	Support	RESZ-O7	Retain as notified.	Accept
FS20.121	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
16.29	FENZ	Support in part	RESZ-O9	Amend <b>as follows:</b>  Avoid the establishment of non-residential activities unless the activity directly provides for the health, <u>safety</u> and wellbeing of the local community.	Accept
24.36	Ministry of Education (MoE)	Support with amendment	RESZ-O9	<b>Amend as follows:</b> <b>unless</b> the activity directly provides for <u>additional infrastructure that supports the health and the social and cultural wellbeing of the</u> local community.  <b>And</b>  <b>Any</b> consequential amendments required <b>to</b> give effect <b>to</b> the matters	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
				<b>raised in this</b> submission.	
10.134	WRC	Support	RESZ-O11	Retain as notified.	Accept in part
16.30	FENZ	Support	RESZ-O11	Retain as notified.	Accept in part
17.113	Waka Kotahi	Support in part	RESZ-O11	Amend <b>as follows:</b> Ensure new development does not <u>compromise the safety of the transport network or</u> exceed available capacities for servicing and infrastructure.	Accept
10.135	WRC	Amend	RESZ-O12	Define ' <b>significant risk</b> ' and clarify what it means in the context of this policy.	Reject
17.114	Waka Kotahi	Support	RESZ-P1	Retain as notified.	Accept
47.172	Forest and Bird	Support with amendment	RESZ-P1	Add <b>a new clause to</b> RESZ-P1 <b>as follows:</b>  <b><u>7. Ensuring the protection of indigenous biodiversity.</u></b>  <b>And</b> Any consequential changes or alternative relief to achieve the relief sought.	Accept in part
38.93	TTRMC	Support	RESZ-P9.9	Retain as notified.	Accept
FS20.122	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
16.31	FENZ	Support in part	RESZ-P15	Amend as follows:  Where non-residential activities which directly provide for the health, <u>safety</u> and wellbeing of the local community are proposed, ensure there is adequate onsite parking and vehicle manoeuvring areas and the proposal includes adequate onsite parking and vehicle manoeuvring areas, and measures to protect residential amenity and reduce the potential for adverse effects by managing structure design and layout, landscaping, fencing and proximity of activities to site boundaries .	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
10.136	WRC	Amend	RESZ-P15 and RESZ-P16	WRC recommends removing references to providing car parking in RESZ-P15 and RESZ-P16	Reject
17.115	Waka Kotahi	Support	RESZ-P16	Retain as notified.	Accept
38.94	TTRMC	Support	RESZ-P18	Retain as notified.	Accept
FS20.123	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
10.137	WRC	Amend	RESZ-P18	Reword so that it also caters for social services, such as <b>papakāinga, kōhanga, kura and wānanga and urupā.</b>	Reject
10.138	WRC	Amend	RESZ-P18	Amend policy to state <b>"Where</b> reticulated wastewater networks are not available, <u>manage</u> <del>restrict</del> the scale and intensity of development and subdivision to ensure it can be serviced by on-site non-reticulated wastewater and <u>best practice</u> <del>stormwater methods</del> ."	Reject
24.37	MoE	Support with amendment	RESZ-P18	Provide for Marae complex, healthcare activities, visitor accommodation, campgrounds, educational <u>facilities</u> and community facilities outside of the precincts only where the actual and potential reverse sensitivity effects can be managed by: Managing the hours of operation of activities; and Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and Employing landscaping, height, building coverage, and bulk and location controls as the primary means of maintaining the amenity values and character of the zone in respect of privacy, access to sunlight and overshadowing; and Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation during night-times and early mornings.	Accept
10.139	WRC	Amend	RESZ-P20	Amend policy to direct new development to align with areas that in the future could be serviced by public transport, in alignment with the 2022-2032 Waikato Regional Public Transport Plan.	Accept in part
FS27.15	Waka Kotahi	Support		NZTA seeks the submission point be allowed.	Accept in part

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
17.116	Waka Kotahi	Support	RESZ-P20	Retain as notified.	Accept
10.140	WRC	Support	RESZ-P21	Retain as notified.	Accept
20.08	Ara Poutama- Department of Corrections	Support	RESZ-R1 PREC1-R4 PREC2-R1	<b>Retain the permitted activity rules applying to “residential units” in the Residential Zone. These include:</b> <ul style="list-style-type: none"> <li>• RESZ-R1</li> <li>• PREC1-R4</li> <li>• PREC2-R1</li> </ul>	Accept
38.95	TTRMC	Support	RESZ-R1	Retain as notified.	Accept
FS20.124	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.96	TTRMC	Support	RESZ-R3	Retain as notified.	Accept
20.09	Ara Poutama- Department of Corrections	Neutral	41	<ol style="list-style-type: none"> <li>1. Remove the rules relating to “managed care facilities” from the Residential Zone, which includes: <ul style="list-style-type: none"> <li>• RESZ-R4</li> <li>• PREC1-R10</li> <li>• PREC2-R9</li> </ul> BUT </li> <li>2. If Council are to retain the “managed care facilities” definition, then retain as notified the permitted activity rules applying to “managed care facilities” in the Residential Zone and Te Kumi Commercial Precinct, which includes: <ul style="list-style-type: none"> <li>• RESZ-R4</li> <li>• PREC2-R9</li> </ul> AND </li> <li>3. Delete the non-complying activity rule applying to “managed care facilities”, and amend an associated permitted activity rule, to provide a permitted status for “managed care facilities” in the Railway Cottage Cluster Precinct.</li> </ol>	Accept in part



Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
17.117	Waka Kotahi	Support	RESZ-R11	Retain as notified.	Accept
24.40	MoE	Support	PREC1-R11	Retain as notified.	Accept
24.38	MoE	Support with amendment	RESZ-R12	<p><b>Amend as follows:</b>  <del>Educational facilities and c-</del> Community facilities, libraries <b>and museums</b>  ...  <b>And any</b> consequential amendments required <b>to</b> give effect <b>to</b> the matters <b>raised in this</b> submission.</p>	Reject
24.39	MoE	New	41	<p>Add <b>a new rule to</b> the Residential zone <b>as</b> follows:</p> <p><u>RESZ-RXX</u>  <u>Educational facilities</u> <u>Activity status: RDIS</u></p> <p><u>Matters over which discretion <b>is</b> restricted:</u>  <u>a. The size, <b>design</b>, location, construction, and materials <b>used</b>;</u>  <u>and <b>b.</b> Effects <b>on</b> the streetscape <b>and</b> amenity <b>of</b> the <b>area</b>; and</u>  <u>c. The level of on-site amenity and landscaping; and</u>  <u>d. Adverse effects on the safe, efficient, and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and</u>  <u>e. Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u>  <u>f. Consideration of reverse sensitivity effects; and</u>  <u>g. The extent to which the key moves in the relevant Town Concept Plan has been considered and provided for.</u></p> <p><b>And any</b> consequential amendments required <b>to</b> give effect <b>to</b> the matters <b>raised in this</b> submission.</p>	Reject
24.41	MoE	Support	PREC2-R16	Retain as notified.	Accept
17.118	Waka Kotahi	Support	RESZ-R20	Retain as notified.	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
17.119	Waka Kotahi	Support	RESZ-R26	Retain as notified.	Accept
10.141	WRC	Amend	RESZ-R29	Amend to include an advice note directing plan users to the Waikato Regional Plan rule framework.	Accept in part
36.25	Kāinga Ora	Support with amendment	RESZ-R29	<p><b>Amend as follows:</b></p> <p>1. <del>One residential unit per 2500 m2 of net site area; and</del>  2. <del>Either one tiny house or one minor residential unit</del></p> <p>OR</p> <p>3. <del>One set of duplex dwellings per 2500 m2 of net site area; or</del>  <del>4. Co-housing Residential units, developments, papakāinga and tiny house residential developments of no more than 6 residential units/tiny houses respectively, must be able to on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</del></p> <p>And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	Reject
FS20.28	Sheryl Paekau	Support		I seek to amend provision to remove the maximum number of 6 to papakainga housing must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries	Reject
16.33	FENZ	Support in part	RESZ-R34(4)	<p>Delete and <b>replace with</b> the following:</p> <p><b>3. <u>Where a connection to the Council's reticulated water supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008;</u></b></p>	Accept

Submission no	Submitter	Support/in part/oppose	Plan provision	Relief sought	Recommendation
				And <b>retain</b> the note <b>as</b> notified.	
03.156	Heritage New Zealand Pouhere Taonga (HNZPT)	Support in part	Railway Cottage Cluster Precinct PREC1	That the Railway Cottage Cluster Precinct-PREC1 is extended and amended to: the Railway Cottage historic area and included into the SCHED1-Heritage Building and Structure, and the extent of the area is to be 37-55 Te Kumi Road and 38-68 Te Kumi Road.	Reject
03.157	HNZPT	Support in part	Delete PREC1 and replace with Proposed New Items Railway Cottage Historic Area within Sched 1 Building and structures	That PREC1 is replaced with an historic heritage area and included into the SCHED1-Heritage Buildings and subject to the protective rule framework.	Reject
03.160	HNZPT	Oppose	PREC1	That PREC1 is replaced with an historic heritage area and included into the SCHED1-Heritage Buildings and subject to the protective rule framework.  <b>It is noted that the submission states "support" for the provision.</b> However, the submitter has requested that the provision be deleted. Therefore, their position on the submission has been amended to oppose.	Reject

## 7. Appendix 2 – Decisions Version of the Chapter

# Residential Zone | Ngā Rohe Kāinga

## Overview

The residential zone is located in Te Kūiti and Piopio where approximately half of the district's population live. The primary purpose of this zone is to provide for the housing needs of the district, which, over the lifetime of this plan, are predicted to change:

- Figures indicate that the population of Te Kūiti will remain largely static past 2020, however the number of dwellings are predicted to gradually increase. This is because household size is forecast to decrease from 2.6 persons to 2.2 persons by 2048. As a consequence, there will be continued demand for housing in Te Kūiti over the lifetime of this plan.
- In Piopio, the population is forecast to gradually increase to 2028 and then stabilise at around 460 persons. The demand for housing over this time period is also predicted to increase (including post 2028), because of the trend towards decreased household size.

Additionally, the proportion of the population who identify themselves as Māori will increase and the number of people over 65 will increase from 13% of the population in 2013 to 25% in 2048. These trends mean that this plan must accommodate different types of housing demand. Accordingly, this zone provides opportunities for papakāinga developments, minor residential units, duplex dwellings, tiny house and co-housing developments and compact housing, as well as traditional residential units.

To accommodate the gradual increase in demand, an assessment of capacity in the previous district plan's residential zone was undertaken in 2018, which indicated there were approximately 200 vacant sections in Piopio and over 1000 vacant sections in Te Kūiti. A number of these sections are relatively large (greater than 1000 m<sup>2</sup>) and could be subdivided further. However, there are limitations in this assessment of capacity. For example, some residential sections are now subject to more stringent natural hazard provisions in this plan than they were in the previous plan. The extent of the residential zone in this plan also differs slightly to the previous plan, with some areas becoming rural lifestyle zones. There are also limitations in servicing some parts of Piopio and Te Kūiti, meaning larger sections might be required to accommodate on-site wastewater disposal systems. Nonetheless, it is still considered that there is ample capacity within residentially zoned land to meet this demand. However, in order to ensure adequate residential land supply, the future urban zone provides two additional areas of deferred residential land in Te Kūiti totalling 23 ha.

The standards of this zone have been designed to meet housing needs in a manner which provides a high level of flexibility for on-site design while managing adverse effects on adjoining properties and the zone as a whole. It is anticipated that buildings and structures will not be overly dominant, and that people will have access to levels of sunlight, daylight and open space that is reflective of the planned urban form. Within the zone it is also anticipated that activities will only produce low levels of noise that do not interfere with amenity. While residential development is anticipated in this zone, the risks of natural hazards, particularly land instability and flooding, must be recognised and managed at the time of subdivision or when identifying building platforms. This plan provides provisions to manage natural hazards during these processes.

The social and community function of the residential zone is also important. For this reason, Town Concept Plans were undertaken and widely consulted on for both communities and as a result, this plan identifies community based activities that support the outcomes identified in these documents. Consequently, industrial and commercial activities are not anticipated in the zone because the scale and intensity of these activities is not consistent with the anticipated residential amenity and character.

For Te **Kūiti** outcomes for the residential zone identified in the **Te Kūiti** Town Concept Plan include:

- Recognising that commercial space in the town centre is oversupplied, so focusing on defining and protecting a core shopping area of retail trading and avoiding commercial and retail development outside of this area.
- Making adequate provision for heritage buildings, including provision for their reuse and repurpose and examining ways to make the railway cottages a significant character element of the northern entry.
- Ensuring the residential areas have a good level of amenity and that activities in these areas are compatible with the places people live.
- Providing for lower density residential development on hillside areas which have issues with land stability.
- Providing for areas of new growth so that the township is prepared for change.

There was also community feedback relating to the small cluster of commercial activities around the northern gateway into Te **Kūiti**. The community noted that this area was an important drawcard and should be enabled, without allowing expansion which would undermine the role and function of the town centre. Accordingly, the Te Kūiti commercial precinct (PREC2) has been established to allow the ongoing operation of these businesses without applying some of the more limiting provisions of the underlying residential zone. To provide for the unique and historic nature of the railway cottages grouped at the northern end of Te **Kūiti**, the railway cottage cluster precinct (PREC1) protects the significant character elements of these buildings through design controls.

For Piopio outcomes for the residential zone identified in the Piopio Town Concept Plan include:

- Directing retail activities, services and offices away from residential areas into the commercial centre of Piopio.
- Building on the high level of amenity that has already been achieved by improving connectivity, minimising advertising signs and having rules around noise, derelict buildings and the size and scale of new buildings.
- Recognising that part of the charm of Piopio is the public spaces and identifying where these could be extended and interconnected for residents and visitors to enjoy. This includes better connection with the river.
- Ensuring the plan enables accommodation facilities, campgrounds and ancillary facilities for tourists such as attractions – but only in places where these activities do not undermine the fabric of the town and residential areas.

## Objectives

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

- RESZ-O1. Maintain a level of amenity that is reflective of the planned urban environment and enhance the existing residential elements of Te Kūiti and Piopio that give each town its own unique character.
- RESZ-O2. Recognise the high levels of economic and social deprivation and enable a range of housing options for a diverse range of households including tiny houses, papakāinga, co-housing and compact housing developments to provide healthy, affordable, safe homes.
- RESZ-O3. While enabling a range of housing options ensure that the principles of good urban design, form, accessibility and functionality are not compromised.
- RESZ-O4. Provide for the business and retail characteristics of the Te Kumi commercial precinct (PREC2) while avoiding further expansion of commercial activities outside of the precinct to protect the Te Kūiti town centre.
- RESZ-O5. Protect the heritage values of the railway cottage cluster precinct (PREC1).
- RESZ-O6. Provide and enhance public access to areas of open space wherever practicable.
- RESZ-O7. Enable mana whenua to express their cultural traditions and values through the provision of hapū-focused housing options such as papakāinga and co-housing developments.
- RESZ-O8. Promote the community aspirations identified in the Te Kūiti and Piopio Town Concept Plans by encouraging all new activities and redevelopment to implement the key moves and actions they contain.
- RESZ-O9. Avoid the establishment of non-residential activities unless the activity directly provides for additional infrastructure that supports the health, safety, social and cultural wellbeing of the local community.
- RESZ-O10. Protect lawfully established industrial development in or adjacent to residential zones while ensuring it does not evolve in nature or scale to a point where the adverse effects on surrounding residential areas cannot be adequately managed.
- RESZ-O11. Ensure new development does not compromise the safety or efficiency of the transport network or exceed available capacities for servicing and infrastructure.
- RESZ-O12. Ensure new residential development is designed and located to manage significant risks from natural hazards.

# Policies

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

RESZ-P1. Ensure development contributes to a residential character that is in accordance with the planned urban form by:

1. Promoting a well-connected, and legible street pattern that encourages a greater level of accessibility within the urban environment and promotes wide vistas to the surrounding hills; and
2. Encouraging high to medium density residential development accompanied by relatively high levels of on-site open space; and
3. Having easily accessible parks and good connectivity to the Mangaokewa Stream; and
4. Maintaining and enhancing the existing level of infrastructure including kerb and channel and street lighting; and
5. Protecting the integrity of the railway cottages located within the identified precinct; and
6. Ensuring new development contributes to the consolidation of activities within the residential zone boundaries; and
7. Aligning new development with areas that could be serviced by public transport in the future.

RESZ-P2. Ensure development in Piopio contributes to a residential character that is in accordance with the planned urban form by:

1. Promoting a grid street layout connected to a roading pattern that follows the natural contour of the surrounding hills; and
2. Encouraging medium density residential development that is set back from road frontages to enable sufficient open space for the planting of trees and private gardens; and;
3. Establishing connectivity to the Mokau River and other open spaces; and
4. Maintaining a mix of housing types.

RESZ-P3. In the railway cottage cluster precinct (PREC1):

1. Direct more intensive residential developments - co-housing, papakāinga, compact and tiny house developments, managed care facilities and boarding houses – away from this precinct and into the residential zone; and
2. As far as possible, avoid new structures, additions and alterations, accessory buildings and relocated buildings that are located between any railway cottage and the front boundary of a site; and
3. Avoid the demolition or removal of railway cottages; and
4. Ensure new structures or new accessory buildings maintain a style, form, and building materials that are similar to the existing railway cottages; and
5. Encourage alterations or additions that restore the front or side facades of a railway cottage to its original configuration, style, form, building materials and colour; and

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6. As far as possible, avoid the potential adverse visual effects of outdoor storage.

RESZ-P4. In the Te Kumi commercial precinct (PREC2):

1. Provide for the ongoing operation and growth of lawfully established businesses while avoiding further expansion of commercial or retail activities outside of this precinct; and
2. Encourage any re-development or new development is sympathetic to the style of the adjacent railway cottages; and
3. Manage the timing and hours of operation of activities to ensure reasonable compatibility with the amenity and character of adjacent residential uses; and
4. Encourage developments that implement the outcomes specified in the **key moves of the Te Kūiti Town Concept Plan; and**
5. Employ landscaping and fencing to maintain the character and amenity values of the area; and
6. Manage the potential adverse visual effects of outdoor storage.

RESZ-P5. Ensure that an acceptable level of residential amenity is delivered and reflective of the planned urban environment, by:

1. Ensuring that buildings are set back from road and internal boundaries to provide opportunities for landscaping, allow for privacy between buildings and maintain an open street character; and
2. Employing height and bulk and location controls as the primary means of maintaining the character and amenity values of the zone in respect of privacy, access to sunlight and overshadowing; and
3. Ensuring that all sites have sufficient open space to provide for landscaping, outdoor activities, storage, parking, and vehicle manoeuvring by maintaining a maximum building coverage requirement; and
4. Encouraging activities which support enhanced public access to river margins as appropriate; and
5. Ensuring that activities are undertaken in a manner that maintains the low ambient noise and vibration environment that is consistent with the amenity expectations of the zone; and
6. Managing the keeping of animals to a level that is compatible with the amenity expectations of the zone; and
7. Avoiding the establishment of fortified sites and hazardous waste processing and/or disposal; and
8. Retain indigenous biodiversity and established landscaping where appropriate, that contributes to the amenity of the site and the neighbourhood and ecological connectivity.

RESZ-P6. Land use activities and development should be undertaken in a manner that reflects and delivers the planned urban environment.

RESZ-P7. Other than activities directly providing for the health and wellbeing of the local community, avoid the establishment of non-residential activities, so that the amenity, quality and character of the zone is not diminished and the

**vitality of the district's commercial zones is not undermined. This policy particularly applies to, but is not limited to retail and industrial activities.**

RESZ-P8. Where on-site standards can be met, enable duplex dwellings and the establishment of one minor residential unit per site.

RESZ-P9. Outside of the railway cottage cluster precinct (PREC1), provide for retirement villages, compact housing, tiny-houses, co-housing and papakāinga housing developments where these are comprehensively designed and:

1. Provide buildings that are well designed with architectural detail and meet minimum standards; and
2. Effectively relate to the street, existing buildings, and adjoining developments in the neighbourhood; and
3. Provide for sufficient private and communal space for the reasonable recreation, service and storage needs of residents; and
4. Retain existing trees and landscaping within the development as far as this is practical; and
5. Address reverse sensitivity effects; and
6. Mitigate adverse effects related to traffic generation, parking, access, noise, vibration and light spill; and
7. Are appropriately serviced and co-ordinated with infrastructure provision and integrated with the transport network; and
8. Compact housing developments avoid locating in Piopio or on sites that are not serviced by **Council's reticulated wastewater system; and**
9. **Papakāinga developments are enabled to provide a hapū-focused housing option which may possess a design and layout that differs from that generally found in the residential zone; and**

Within the railway cottage cluster precinct (PREC1), avoid retirement villages, compact housing, tiny-houses, co-housing and papakāinga housing developments.

RESZ-P10. Provide for residential buildings and activities that enable mana whenua to connect with their ancestral sites, ancestral lands, water, wāhi tapu, and other taonga.

RESZ-P11. Visitor accommodation is only appropriate where the scale and design enhances the amenity, quality and character of the residential zone, and where site specific issues including servicing and transport related effects are appropriately addressed.

RESZ-P12. Minimise the potential for residential based visitor accommodation to generate adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.

RESZ-P13. Provide for home businesses where these are of a nature, scale and location that does not adversely affect adjoining properties or the character of the area.

RESZ-P14. Retirement villages, managed care facilities and boarding houses should be of a scale that is consistent with existing buildings in the zone and must

manage the potential adverse effects including those arising from noise and traffic generation.

RESZ-P15. Where non-residential activities which directly provide for the health, safety and wellbeing of the local community are proposed, ensure there is adequate onsite parking and vehicle manoeuvring areas and the proposal includes measures to protect residential amenity and reduce the potential for adverse effects by managing structure design and layout, landscaping, fencing and proximity of activities to site boundaries.

RESZ-P16. Minimise reverse sensitivity effects by:

1. Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and
2. Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation; and
3. Managing the potential adverse visual effects of outdoor storage; and
4. Ensuring noise sensitive activities located adjacent to State Highways and/or railways to provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and
5. Ensuring activities do not compromise the safe operation of the land transport network; and
6. Ensuring the height of new structures or additions is not out of character with the neighbourhood they are proposed to be located in.

RESZ-P17. New industrial activities are not compatible with the anticipated level of amenity in residential areas and must avoid locating in the residential zone. Existing lawfully established industrial activities located within or adjacent to the residential zone must:

1. Not erect new structures or extensions which are of a scale that is inconsistent with the existing residential buildings surrounding the site; and
2. Provide appropriate onsite parking and vehicle manoeuvring areas; and
3. Ensure that any potential adverse effects including the management of noise sources, the position of the garage doors, vehicle access(es), the effects of traffic generation and the location of outdoor storage areas can be appropriately addressed; and
4. Not change in nature or scale to a point where the adverse effects on surrounding residential areas cannot be adequately managed.

RESZ-P18. Provide for Marae complex, healthcare activities, visitor accommodation, campgrounds, educational facilities and community facilities outside of the precincts only where the actual and potential reverse sensitivity effects can be managed by:

1. Managing the hours of operation of activities; and
2. Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and

3. Employing landscaping, height, building coverage, and bulk and location controls as the primary means of maintaining the amenity values and character of the zone in respect of privacy, access to sunlight and overshadowing; and
4. Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation during night-times and early mornings.

RESZ-P19. Where reticulated wastewater networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non-reticulated wastewater and stormwater methods.

RESZ-P20. Ensure traffic generated by new development does not compromise the safety and efficiency of the transport system.

RESZ-P21. Adequate assessment of the natural hazard risk must be undertaken prior to the establishment of new development. Some areas may not be appropriate for development if the natural hazard risk, particularly flooding and land instability issues, cannot be appropriately managed.

RESZ-P22. Ensure the flightpath height restrictions shown on the planning maps are complied with to enable the safe operation of **the Te Kūiti Aerodrome**.

## Rules

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

- RESZ - Table 1 - Activities Rules; and
- RESZ - Table 2 - Performance Standards; and
- RESZ - Table 3 - Activities Rules - Railway cottage cluster precinct (PREC1); and
- RESZ - Table 4 - Activities Rules - Te Kūiti commercial precinct (PREC2); and
- Any relevant provision in Part 2 District-Wide Matters.

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

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

RESZ - Table 1 – Activities Rules

The rules in this table apply to the residential zone outside of the railway cottage cluster precinct (PREC1) and Te Kumi commercial precinct (PREC2)		
RESZ-R1.	Residential units, minor residential units and show homes	
RESZ-R2.	Duplex dwellings	
RESZ-R3.	Co-housing, compact housing, papakāinga and tiny house developments	
RESZ-R4.	Managed care facilities	
RESZ-R5.	Residential based visitor accommodation	
RESZ-R6.	Accessory buildings ancillary to any permitted activity	
RESZ-R7.	Construction, additions and alteration of buildings for any permitted activity	
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in RESZ – Table 2 are complied with; and</p> <p>2. Show homes are subject to the same requirements as a residential unit.</p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, also see the <a href="#">historic heritage chapter</a>.</i></p> <p><i>Note: Where building work is carried out (for example to join two tiny houses together by a walkway or create a permanent deck) or where kitchen and bathroom plumbing fittings need to be connected to reticulated water or wastewater systems or septic tank systems, the tiny house becomes a building.</i></p>		<p>Activity status where compliance is not achieved with RESZ-S1 to RESZ-S7: RDIS</p> <p>Activity status where compliance is not achieved with RESZ-S8 to RESZ-S14: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in RESZ – Table 2.</p>
<p>Activity status: NC</p> <p>Where:</p> <p>3. A papakāinga or compact housing development <b>is located on a site(s) not serviced by Council’s</b> reticulated wastewater system.</p> <p>4. A compact housing development is located in Piopio.</p>		<p>Activity status where compliance is not achieved: N/A</p>
RESZ-R8.	Home businesses	
<p>Activity status: PER</p> <p>Where:</p> <p>1. No more than two full time equivalent persons who do not reside on the site are employed in the home business, except in tiny house and</p>		<p>Activity status where compliance is not achieved: DIS</p>

<p>compact housing developments where only the people living on the site can be engaged in the home business; and</p> <p>2. The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and</p> <p>3. The home business and household(s) combined must not generate more than 22 vehicle movements to the site per 24 hour period; and</p> <p>4. Any outdoor storage area must be screened from any road or public space; and</p> <p>5. A home business may include home based child care but must not be any of the following activities: Panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing, activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the residential zone these activities are industrial activities.</p>	
RESZ-R9.	Housing and keeping of animals
<p>Activity status: PER</p> <p>Where:</p> <p>1. The number of poultry must not exceed 5 per site and must not include any roosters; and</p> <p>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept within the residential zone; and</p> <p>3. A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000 m<sup>2</sup> and;</p> <p>(i) The site is not adjacent to an educational facility or a community facility; and</p> <p>(ii) The beehive(s) are located at least 5 m from any site boundary.</p>	<p>Activity status where compliance is not achieved: DIS</p>
RESZ-R10.	Demolition and / or removal of <a href="#">buildings</a> and <a href="#">structures</a>
<p>Activity Status: PER</p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, see the <a href="#">historic heritage chapter</a>.</i></p>	<p>Activity status where compliance is not achieved: N/A</p>

RESZ-R11.	Boarding houses and retirement villages
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Activity Status: RDIS

Matters over which discretion is restricted:

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

Activity status where compliance is not achieved: N/A

RESZ-R12.	Educational facilities and community facilities, libraries and museums
RESZ-R13.	Healthcare facilities, hospitals, and emergency service facilities
RESZ-R14.	Visitor accommodation and campgrounds
RESZ-R15.	Marae complex

Activity status: DIS

Activity status where compliance is not achieved: N/A

RESZ-R16.	Industrial activities and activities not otherwise listed in Table 1
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Activity status: NC

Activity status where compliance is not achieved: N/A

RESZ-R17.	Fortified sites
RESZ-R18.	Hazardous waste processing or disposal
RESZ-R19.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps

Activity status: PR

Activity status where compliance is not achieved: N/A

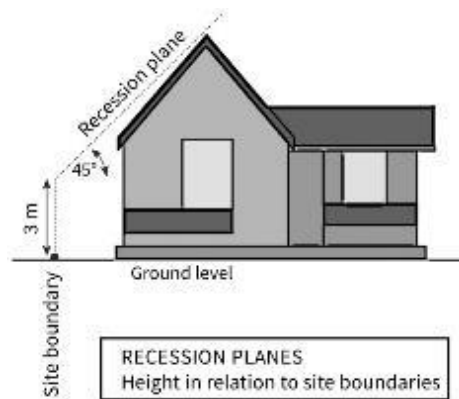
RESZ - Table 2 - Performance Standards

RESZ-S1.	Minimum setback from road boundaries
<ol style="list-style-type: none"> <li>The minimum setback from road boundaries for any building adjacent to any road must be at least 5 m; and</li> <li>For the avoidance of doubt, a tiny house is a building for the purpose of this rule.</li> </ol>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>Visual effects including bulk, scale and location of the building; and</li> <li>The provision of daylight and sunlight into neighbouring buildings; and</li> <li>Effects on surrounding properties, character and amenity; and</li> <li>Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</li> <li>Potential reverse sensitivity effects on any adjoining activities; and</li> <li>Parking, manoeuvring and access; safety and efficiency of the transport system, including the provision of sufficient off-street parking and the effects of traffic generation.</li> </ol>
RESZ-S2.	Minimum setback from internal boundaries
<ol style="list-style-type: none"> <li>The minimum setback for buildings from internal site boundaries must be 1.5 m, provided that:               <ol style="list-style-type: none"> <li>The eaves of any building may encroach into the required setback by not more than 600 mm; and</li> <li>In all locations, no building or eave shall encroach into any vehicle accessway, service lane, driveway, or other vehicle access point;</li> </ol> </li> <li>AND</li> <li>Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and</li> <li>This rule does not apply to common walls of duplex dwellings; and</li> <li>Decks, balconies and terraces more than 1.5 m in height from ground level and located along any internal boundary must be setback 3 m; and</li> <li>For the avoidance of doubt a tiny house is a building for the purpose of this rule.</li> </ol> <p><i>Note: All buildings and structures must also comply with NATC-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>Visual effects including bulk, scale and location of the building; and</li> <li>The provision of daylight and sunlight into neighbouring buildings; and</li> <li>Effects on surrounding properties, privacy, character and amenity; and</li> <li>Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</li> <li>The potential effects of the building or eave encroaching into any vehicle accessway, service lane, driveway, or other vehicle access point; and</li> <li>Potential reverse sensitivity effects on any adjoining activities.</li> </ol>



RESZ-S3.	Height in relation to boundary
<p>1. No structure or stored materials shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 3 m above the ground level of the road or internal boundaries of a site. See Figure - RESZ 1, provided that:</p> <p>(i) Where an internal boundary of a site abuts a driveway or right of way the recession plane may be measured from points 3 m above the furthest boundary of the driveway or right of way.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the structure or materials; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, privacy, character and amenity; and</p> <p>(d) Ability to soften the visual impact of the structure or materials from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities.</p>

Figure – RESZ 1 –Height in relation to boundary



RESZ-S4.	Screening of <a href="#">site</a> boundaries within PREC2
<p>1. The permitted activities listed in PREC2-R3 – PREC2-R6 must comply with the following:</p> <p>(i) Where an activity has an internal site boundary that is adjacent to a site containing a residential activity or a vacant site, the internal boundary of the site adjoining the residential activity or a vacant site must be screened by a solid fence or wall 2 m in height as measured from ground level; and</p> <p>(ii) Where a site is adjacent to a road, the road boundary must be landscaped to a minimum depth of 2 m, except for the required access and egress points. The landscaping must consist of either grass and/or a combination of groundcovers, shrubs and/or trees.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building or activity; and</p> <p>(b) Other methods employed to soften the visual impact of the building or activity from the adjoining site or road; and</p> <p>(c) Topographical and geographical features affecting the ability to provide the required fencing or landscaping; and</p> <p>(d) Species of plants and height at time of planting; and</p> <p>(e) The extent to which the key moves in the Te Kūiti Town Concept Plan have been considered and provided for.</p>

RESZ-S5.	Hours of operation within PREC2	
1. The permitted activities listed in PREC2-R4 – PREC2-R6 must not operate outside the hours of Monday to Sunday 7am – 9pm, including the loading and unloading of goods.	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> <li>(a) The layout, design and location of activities on the site, including parking areas, loading areas and outdoor seating areas; and</li> <li>(b) The time and duration of the noise effect and the anticipated noise level; and</li> <li>(c) Effects on surrounding properties, character and amenity; and</li> <li>(d) The extent to which topographical and geographical features, landscaping and screening on the site will assist in the management of effects.</li> </ul>	
RESZ-S6.	Residential based visitor accommodation	
1. The maximum occupancy must not exceed six guests at any one time.	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> <li>(a) The effect on surrounding properties, character and amenity; and</li> <li>(b) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</li> <li>(c) Potential reverse sensitivity effects on any adjoining activities.</li> </ul>	
RESZ-S7.	Maximum height of fences and freestanding walls	
1. Fences, walls or a combination of these structures, whether they are separate or joined together, must not exceed 2 m in height as measured from ground level.	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> <li>(a) Visual effects including bulk, scale and location of the structure; and</li> <li>(b) Other methods employed to soften the visual impact of the structure from the adjoining site or road; and</li> <li>(c) Topographical and geographical features affecting the ability to provide the required fencing.</li> </ul>	
RESZ-S8.	Maximum number of residential units – sites serviced by wastewater reticulation	
<p>The maximum number of buildings per site is:</p> <ul style="list-style-type: none"> <li>1. One residential unit per 450 m<sup>2</sup> of net site area, except sites less than 450 m<sup>2</sup> existing on 20 October 2022 may erect one residential unit on the site; and</li> <li>2. Either one minor residential unit with a maximum gross floor area of 70 m<sup>2</sup> excluding garaging or one tiny house per site;</li> </ul>	Activity status where compliance is not achieved: DIS	

<p>OR</p> <ol style="list-style-type: none"> <li>One set of duplex dwellings per 800 m<sup>2</sup> of net site area; or</li> <li>A co-housing development comprising of no more than 6 household units where 400 m<sup>2</sup> of net site area is provided per residential unit; or</li> <li>A tiny house or tiny house development comprising of no more than 6 tiny houses where 200 m<sup>2</sup> of net site area is provided per tiny house; or</li> <li>A <b>papakāinga unit</b> or papakāinga development comprising of no more than 6 papakāinga units where 200 m<sup>2</sup> of net site area is provided per unit; and</li> <li>A compact housing development comprising of no more than 6 residential units where 300 m<sup>2</sup> of net site area is provided per unit.</li> </ol>	
RESZ-S9.	Maximum number of <b>residential units</b> – <b>sites</b> not serviced by <b>wastewater</b> reticulation
<ol style="list-style-type: none"> <li>One residential unit per 2500 m<sup>2</sup> of net site area; and</li> <li>Either one minor residential unit with a maximum gross floor area of 70 m<sup>2</sup> excluding garaging or one tiny house per site; OR</li> <li>One set of duplex dwellings per 2500 m<sup>2</sup> of net site area; or</li> <li>Co-housing developments and tiny house developments of no more than 6 residential units/tiny houses respectively, must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</li> </ol>	Activity status where compliance is not achieved: DIS
RESZ-S10.	<b>Height</b>
<ol style="list-style-type: none"> <li>Structures must not exceed 9 m in height as measured from ground level.</li> </ol>	Activity status where compliance is not achieved: DIS
RESZ-S11.	Maximum <b>building coverage</b>
<ol style="list-style-type: none"> <li>The maximum total building coverage on a site must not exceed 35% of the net site area.</li> </ol> <p><i>Note: This rule does not apply to papakāinga housing developments or compact housing developments. See RESZ-S13.</i></p>	Activity status where compliance is not achieved: DIS

RESZ-S12.	Minimum outdoor service space – papakāinga, co-housing, compact housing and tiny house developments	
1.	Each development must provide one communally accessible outdoor service space with a minimum area of 10 m <sup>2</sup> which must be screened so that it is not visible from the road boundary of the site.	Activity status where compliance is not achieved: DIS
RESZ-S13.	Papakāinga housing developments and compact housing developments	
1.	At least 30% of the net site area of any site or unit site area must be grassed or otherwise landscaped in a manner that retains the permeable nature of the surface.	Activity status where compliance is not achieved: DIS
RESZ-S14.	Servicing	
1.	Where a connection to <b>the Council's reticulated</b> water supply system is not available, all developments must have an independent potable water supply for activities on the site; and	Activity status where compliance is not achieved: DIS
2.	Where a connection to <b>the Council's reticulated</b> wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and	
3.	All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and	
4.	<b>Where a connection to Council's reticulated water</b> supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008; and	
5.	Tiny houses must comply with RESZ-S14.1 and RESZ-S14.3 only and provide suitable on-site wastewater disposal with preference given to composting toilets or systems which do not require discharge of liquid waste.	

*Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice (refer Table 1 and 2).*


*Note: Stormwater and wastewater disposal, and ground and surface water takes may require a resource consent from the Waikato Regional Council or the Manawatū Whanganui Regional Council.*

## AREA SPECIFIC MATTERS Residential Zone

### Railway Cottage Cluster Precinct (PREC1)

RESIDENTIAL



 Railway Cottage Cluster Precinct

RESZ - Table 3 – Activities Rules - Railway cottage cluster precinct (PREC1)

The rules in this table only apply within the railway cottage cluster precinct (PREC1)	
PREC1-R1.	Residential based visitor accommodation
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in RESZ – Table 2 are complied with.</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in RESZ – Table 2.</p>

PREC1-R2.	Accessory buildings ancillary to any permitted activity	
Activity status: PER Where: <ol style="list-style-type: none"> <li>1. All of the performance standards in RESZ – Table 2 are complied with; and</li> <li>2. The maximum height of the accessory building must not be greater than the maximum height of the existing railway cottage on that site; and</li> <li>3. The accessory building must not be located between the railway cottage and the road.</li> </ol>		Activity status where compliance is not achieved: DIS
PREC1-R3.	Additions and alterations of buildings for any permitted activity	
Activity status: PER Where: <ol style="list-style-type: none"> <li>1. All of the performance standards in RESZ – Table 2 are complied with; and</li> <li>2. The maximum height of the addition/alteration is no greater than the maximum height of the existing railway cottage; and</li> <li>3. The addition or alteration is undertaken on the rear of the building.</li> </ol>		Activity status where compliance is not achieved: DIS  <i>Note: In the event that the alteration or addition restores the front or side facades of the railway cottage to their original configuration, Waitomo District Council may waive all or part of the resource consent fees.</i>
PREC1-R4.	Residential units, minor residential units, construction of new buildings	
Activity status: PER Where: <ol style="list-style-type: none"> <li>1. All of the performance standards in RESZ – Table 2 are complied with; and</li> <li>2. The new building is not located between the railway cottage and the road; and</li> <li>3. The maximum height of the new building is no greater than the maximum height of the existing railway cottage on that site.</li> </ol> <i>Note: For relocated buildings see the <a href="#">relocated buildings chapter</a>.</i>		Activity status where compliance is not achieved: NC
PREC1-R5.	Home businesses	
Activity status: PER Where: <ol style="list-style-type: none"> <li>1. No more than two full time equivalent persons who do not reside on the site are employed in the home business; and</li> <li>2. The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and</li> </ol>		Activity status where compliance is not achieved: DIS

<p>3. The home business and household(s) combined must not generate more than 22 vehicle movements to the site per 24 hour period; and</p> <p>4. Outdoor storage must not be located between the railway cottage and the road, must be visually screened from any road or public space; and</p> <p>5. A home business may include home based child care but must not be any of the following activities: Panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing, activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the residential zone these activities are industrial activities.</p>	
PREC1-R6.	Housing and keeping of animals
<p>Activity status: PER</p> <p>Where:</p> <p>1. The number of poultry must not exceed 5 per site and must not include any roosters; and</p> <p>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</p> <p>3. A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000 m<sup>2</sup> and;</p> <p>(i) The site is not adjacent to an educational facility or a community facility; and</p> <p>(ii) The beehive(s) are located at least 5 m from any site boundary.</p>	<p>Activity status where compliance is not achieved: DIS</p>
PREC1-R7.	Demolition and / or removal of buildings and structures
<p>Activity Status: PER</p> <p>Where:</p> <p>1. The building or structure is not a railway cottage.</p>	<p>Activity status where compliance is not achieved: NC</p>
PREC1-R8.	Duplex dwellings, tiny houses, <b>papakāinga units</b>
PREC1-R9.	Co-housing, papakāinga, compact housing and tiny house developments
PREC1-R10.	Managed care facilities, Boarding houses and retirement villages



PREC1-R11.	Educational facilities and community facilities, libraries and museums	
PREC1-R12.	Healthcare facilities and hospitals	
PREC1-R13.	Visitor accommodation and campgrounds	
PREC1-R14.	Marae complex	
PREC1-R15.	Industrial activities and activities not otherwise listed in Table 3	
Activity status: NC		Activity status where compliance is not achieved: N/A
PREC1-R16.	Fortified sites	
PREC1-R17.	Hazardous waste processing or disposal	
PREC1-R18.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps	
Activity status: PR		Activity status where compliance is not achieved: N/A

## AREA SPECIFIC MATTERS

# Residential Zone

### Te Kumi Commercial Precinct (PREC2)



 Te Kumi Commercial Precinct

RESZ - Table 4 – Activities Rules - Te Kumi Commercial Precinct (PREC2)

The rules in this table only apply within Te Kumi Commercial Precinct (PREC2)	
PREC2-R1.	Residential units and minor residential units
PREC2-R2.	Residential based visitor accommodation
PREC2-R3.	Visitor accommodation
PREC2-R4.	Cafes, restaurants and licensed premises
PREC2-R5.	Retail activities including pop up shops
PREC2-R6.	Tourism facilities
PREC2-R7.	Duplex dwellings
PREC2-R8.	Co-housing, papakāinga, compact housing and tiny house developments
PREC2-R9.	Managed care facilities
PREC2-R10.	Accessory buildings ancillary to any permitted activity
PREC2-R11.	Construction, additions and alteration of buildings for any permitted activity

RESIDENTIAL

<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>All of the performance standards in RESZ – Table 2 are complied with.</li> </ol> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, also see the <a href="#">historic heritage chapter</a>.</i></p> <p><i>Note: Where building work is carried out (for example to join two tiny houses together by a walkway or create a permanent deck) or where kitchen and bathroom plumbing fittings need to be connected to reticulated water or wastewater systems or septic tank systems, the tiny house becomes a building.</i></p>	<p>Activity status where compliance is not achieved with RESZ-S1 to RESZ-RS7: RDIS</p> <p>Activity status where compliance is not achieved with RESZ-S9 to RESZ-S14: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> <li>The matters of discretion associated with any performance standard which cannot be complied with in RESZ – Table 2.</li> </ol>
PREC2-R12.	Home businesses
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>No more than two full time equivalent persons who do not reside on the site are employed in the home business; and</li> <li>The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and</li> <li>The home business and household(s) combined must not generate more than 22 vehicle movements to the site per 24 hour period; and</li> <li>Any outdoor storage area must be screened from any road or public space; and</li> <li>A home business may include home based child care but must not be any of the following activities: Panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing, activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the residential zone these activities are industrial activities.</li> </ol>	<p>Activity status where compliance is not achieved: DIS</p>
PREC2-R13.	Housing and keeping of animals
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>The number of poultry must not exceed 5 per site and must not include any roosters; and</li> </ol>	<p>Activity status where compliance is not achieved: DIS</p>

<div>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</div> <div>3. A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000 m<sup>2</sup> and;</div> <div>(iii) The site is not adjacent to an educational facility or a community facility; and</div> <div>(iv) The beehive(s) are located at least 5 m from any site boundary.</div>		
PREC2-R14.	Demolition and / or removal of buildings and structures	
<div>Activity Status: PER</div> <div>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, see the <a href="#">historic heritage chapter</a>.</div>		Activity status where compliance is not achieved: N/A
PREC2-R15.	Boarding houses and retirement villages	
<div>Activity Status: RDIS</div> <div>Matters over which discretion is restricted:</div> <div>(a) The size, design, location, construction and materials used; and</div> <div>(b) Effects on the streetscape and amenity of the area; and</div> <div>(c) The level of on-site amenity, landscaping and outdoor living space provided to residents; and</div> <div>(d) Adverse effects on the safe, efficient and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and</div> <div>(e) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</div> <div>(f) Consideration of reverse sensitivity effects; and</div> <div>(g) The extent to which the key moves in the relevant Town Concept Plan has been considered and provided for.</div> <div>Activity status where compliance is not achieved: N/A</div>		
PREC2-R16.	Educational facilities and community facilities, libraries and museums	
PREC2-R17.	Healthcare facilities and hospitals	
PREC2-R18.	Campgrounds	
PREC2-R19.	Marae complex	
<div>Activity status: DIS</div>		Activity status where compliance is not achieved: N/A
PREC2-R20.	Industrial activities and activities not otherwise listed in Table 4	
<div>Activity status: NC</div>		Activity status where compliance is not achieved: N/A
PREC2-R21.	Fortified sites	

PREC2-R22.	Hazardous waste processing or disposal
PREC2-R23.	Non-compliance with the Te <b>Kūiti</b> Aerodrome Flightpath height restrictions shown on the Planning Maps
Activity status: PR	Activity status where compliance is not achieved: N/A

#### Advice notes

##### Accidental discovery protocol

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

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

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

##### Contaminated land

*If the site is contaminated or potentially contaminated refer to the contaminated land chapter and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) 2011.*

##### Regional Council consents

***A resource consent for some activities such as earthworks and wastewater systems may also be required from the Waikato Regional Council.***

##### Works in close proximity to any electricity line

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

##### Landscaping

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

## 8. Appendix 3 – Section 32AA Evaluation

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

### Amendments

### Objectives

- RESZ-O9. Avoid the establishment of non-residential activities unless the activity directly provides for additional infrastructure that supports the health, safety, and social and cultural wellbeing of the local community.

#### Effectiveness and efficiency

16. RESZ-O9 seeks to avoid the establishment of non-residential activities unless the activity directly provides for the health and wellbeing of the local community. These amendments are beneficial to the effectiveness and efficiency of RESZ-O9 as they broaden the focus of the Objective to ensure that it considers additional matters, which are necessary to the consideration of the wellbeing of the local community.

#### Costs and benefits

17. On balance it is considered that there will not be an increase in costs due to the proposed amendments, as these are matters that should be considered and provided for when considering community wellbeing for non-residential activities in the residential zone. It is considered that it is also beneficial to include these in the overarching objective, as it is consistent with the rule framework.

#### Risk of acting or not acting

18. It is considered that there is sufficient information to justify the changes above.

#### Decision about most appropriate option

19. The proposed amendment is considered to be the most effective means of achieving the objectives as it will:
- Enable the Council to fulfil its statutory obligations, including by supporting the health and safety of people.

- RESZ-O11. Ensure new development does not compromise the safety or efficiency of the transport network or exceed available capacities for servicing and infrastructure.

## Effectiveness and efficiency

20. The amended objective will ensure that new development does not compromise the safety or efficiency of the transport network while ensuring that capacity for servicing and infrastructure is not exceeded. This wording is effective and efficient as it better reflects the direction of RESZ-O11 to provide for the additional matters that are important when considering new development in the residential zone (i.e. safety and servicing).

## Costs and benefits

21. On balance it is considered that there will not be an increase in costs due to the proposed amendments, as these are matters that should be considered and provided for when considering new development in the Residential Zone.

## Risk of acting or not acting

22. It is considered that there is sufficient information to justify the changes above. The amended objective will ensure development can be appropriately serviced and that the safety or efficiency of the transport network will not be compromised by new development.

## Decision about most appropriate option

23. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework.

## Policies

RESZ-P1. Ensure development contributes to a residential character that is in accordance with the planned urban form by:

1. Promoting a well-connected, and legible street pattern that encourages a greater level of accessibility within the urban environment and promotes wide vistas to the surrounding hills; and
2. Encouraging high to medium density residential development accompanied by relatively high levels of on-site open space; and
3. Having easily accessible parks and good connectivity to the Mangaokewa Stream; and
4. Maintaining and enhancing the existing level of infrastructure including kerb and channel and street lighting; and
5. Protecting the integrity of the railway cottages located within the identified precinct; and
6. Ensuring new development contributes to the consolidation of activities within the residential zone boundaries; and
7. Aligning new development with areas that could be serviced by public transport in the future.

## Effectiveness and efficiency

24. The amended policy will ensure that new development will be aligned with areas that could be serviced by public transport in future. This wording is effective and efficient as it better reflects the direction of RESZ-P1 to ensure that development contributes to a residential character that is in accordance with the planned urban form.

## Costs and benefits

25. On balance it is considered that there will not be an increase in costs due to the proposed amendments, as new development will not be restricted from proceeding simply because it does not align with areas serviced by public transport. As it is noted there is very little access to public transport currently within the district, so the access to public transport in future will have an effect on the ability to comply with this policy.

## Risk of acting or not acting

26. It is considered that there is sufficient information to justify the changes above. The amended policy will ensure development can be aligned with public transport in the future.

## Decision about most appropriate option

27. The recommended rule is the most appropriate way to achieve the purpose of the RMA, the relevant objectives and is consistent with the policy framework.

### **RESZ-P5. Ensure that an acceptable level of residential amenity is delivered and reflective of the planned urban environment, by:**

1. Ensuring that buildings are set back from road and internal boundaries to provide opportunities for landscaping, allow for privacy between buildings and maintain an open street character; and
2. Employing height and bulk and location controls as the primary means of maintaining the character and amenity values of the zone in respect of privacy, access to sunlight and overshadowing; and
3. Ensuring that all sites have sufficient open space to provide for landscaping, outdoor activities, storage, parking, and vehicle manoeuvring by maintaining a maximum building coverage requirement; and
4. Encouraging activities which support enhanced public access to river margins as appropriate; and
5. Ensuring that activities are undertaken in a manner that maintains the low ambient noise and vibration environment that is consistent with the amenity expectations of the zone; and
6. Managing the keeping of animals to a level that is compatible with the amenity expectations of the zone;
7. Avoiding the establishment of fortified sites and hazardous waste processing and/or disposal; and
8. Retain indigenous biodiversity and established landscaping where appropriate, that contributes to the amenity of the site and the neighbourhood and ecological connectivity.



## Effectiveness and efficiency

28. The amended policy will ensure that indigenous biodiversity and established landscaping is retained where appropriate provided it contributes to the amenity of the site and the neighbourhood and ecological connectivity. This wording is effective and efficient as indigenous biodiversity and established landscaping contributes to ensuring that an acceptable level of residential amenity is delivered and reflective of the planned urban environment.

## Costs and benefits

29. On balance it is considered that there will not be an increase in costs, as the amendment is not seeking indigenous biodiversity and established landscaping is enhanced, it is merely seeking that it is retained to contribute to the overall residential amenity.

## Risk of acting or not acting

30. It is considered that there is sufficient information to justify the changes above.

## Decision about most appropriate option

31. The recommended rule is the most appropriate way to achieve the purpose of the RMA, the relevant objectives and is consistent with the policy framework.

**RESZ-P15.** Where non-residential activities which directly provide for the health, [safety](#) and wellbeing of the local community are proposed, ensure there is adequate onsite parking and vehicle manoeuvring areas and the proposal includes measures to protect residential amenity and reduce the potential for adverse effects by managing structure design and layout, landscaping, fencing and proximity of activities to site boundaries.

32. Section 32AA: It is considered that this amendment will not have a material impact on this policy. A Section 32AA evaluation is not required.

RESZ-P18. Provide for Marae complex, healthcare activities, visitor accommodation, campgrounds, educational [facilities](#) and community facilities outside of the precincts only where the actual and potential **reverse sensitivity effects can be managed by: .....**

33. Section 32AA: It is considered that this amendment will not have a material impact on this policy. A Section 32AA evaluation is not required.

# Rules

RESZ-R34.	Servicing
<ol style="list-style-type: none"> <li>1. Where a connection to <b>the Council's reticulated</b> water supply system is not available, all developments must have an independent potable water supply for activities on the site; and</li> <li>2. Where a connection to <b>the Council's reticulated</b> wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</li> <li>3. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and  <del>Where water is not supplied by Council or a private community supply, each site must provide access to a water supply for firefighting purposes that is:-</del> <ol style="list-style-type: none"> <li><del>(i) Accessible to firefighting equipment; and</del></li> <li><del>(ii) Between 6 and 90 m from any building housing a residential activity on the site; and</del></li> <li><del>(iii) Located on the site except where the specified volume or flow of water is in a water body that is within the required distances; and</del></li> <li><del>(iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.</del></li> </ol> </li> <li>4. <u>Where a connection to Council's reticulated water supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008; and</u></li> <li>5. Tiny houses must comply with RESZ-R34.1 and RESZ-R34.3 only and provide suitable on-site wastewater disposal with preference given to composting toilets or systems which do not require discharge of liquid waste.</li> </ol>	<p>Activity status where compliance is not achieved: D I S</p>

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*Note: See SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice for further information about managing fire risk and storage of water for firefighting purposes.*

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34. Section 32AA: This amendment is consistent with the approach that has been taken across the Plan to ensure compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice, which is currently referred to in the advice note to the rule. This amendment is considered to be a minor update in the application of the rule and does not affect the policy framework. No Section 32AA evaluation is required.

## Advice Notes

### **Regional Council consents**

*A resource consent for some activities such as earthworks and wastewater systems may also be required from the Waikato Regional Council.*

35. Section 32AA: It is considered that the addition of an advice note that does not have a material impact on the rule. A Section 32AA evaluation is not required.

## Definitions

Impermeable Surfaces means a surface that is not vegetated, does not infiltrate runoff, and prevents or significantly slows the soakage of water into the ground. This includes:

(a).....

But excludes:

(f) wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck; and

(g) porous or permeable paving and living roofs; and

(h) permeable artificial surfaces, fields or lawns; and

(i) swimming pools, ponds and dammed water; and

(j) grass, gardens and other vegetated areas; and

(l) Rainwater tanks.

36. Section 32AA: It is considered that given the scale and significance of the change recommended and as such as Section 32AA evaluation is not required.