

ENV-2025-AKL-

Under the	Resource Management Act 1991 (the Act)
In the matter	of an appeal under Clause 14(1) of the First Schedule of the Act
Between	TE RUUNANGA O NGAATI MAHUTA KI TE HAUAURU TRUST Appellant
And	WAITOMO DISTRICT COUNCIL Respondent

31 July 2025

Notice of appeal to Environment Court against decision on proposed Waitomo District Plan

To: The Registrar
Environment Court
Auckland

Copy to: Waitomo District Council

INTRODUCTION

1. Te Ruunanga o Ngaati Mahuta ki te Hauaaauru Trust (**TRONM** / the **Appellant**) appeals part of the decision of Waitomo District Council (the **Council** / the **Respondent**) on the Proposed Waitomo District Plan (the **Proposed Plan**).
2. TRONM made a submission on the Proposed Plan dated 22 December 2022 (submitter number 35).
3. TRONM is not a trade competitor for the purposes of section 308D of the Act.
4. TRONM received notice of the Council's decision on the Proposed Plan on 19 June 2025 (the **Decision**).
5. The Decision was made under delegated authority by an Independent Hearing Panel on behalf of the Council.

TE RUUNANGA O NGAATI MAHUTA

6. TRONM represents a hapuu within Waikato iwi. TRONM was established in 2013 to protect, preserve, and enhance the interests of Ngaati Mahuta ki te Hauaaauru. TRONM's primary purpose is to ensure whaanau voices are heard regarding their rohe whenua and rohe moana to benefit all descendants of the hapuu, now and in the future.

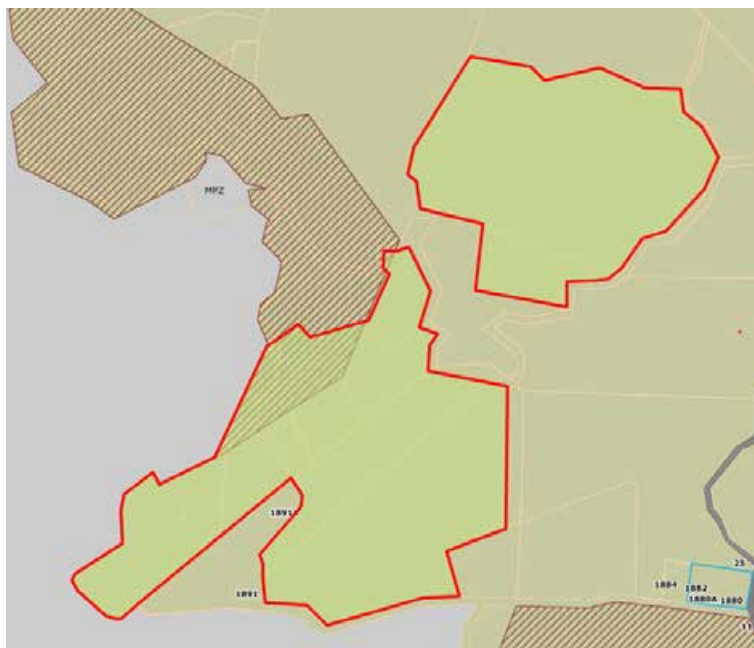
7. This purpose is reflected in the Ngaati Mahuta ki te Hauaauru Environmental Management Plan 2025, Huri Taiaawhio ko Ngaati Mahuta e, which addresses environmental issues, objectives, and policies. The document represents the Ngaati Mahuta ki te Hauaauru environmental planning document recognised by TRONM. It has since been recognised in the Proposed Plan and is applicable to resource management planning and processes under the RMA.
8. The TRONM area of interest stretches from Maketuu Marae situated at the southern end of Kaawhia Harbour, out to Te Waitere, down to Marokopa and back up along the west coast. Te Kooraha Marae is situated north-east of the Tahaaroa township beneath Oorangiwhao Maunga. Aaruka Marae is situated in the township of Tahaaroa beneath Mangatangi Maunga.
9. The TRONM **area of interest** is shown in Figure 1 below, noting that some of this falls outside of the Council's boundaries:



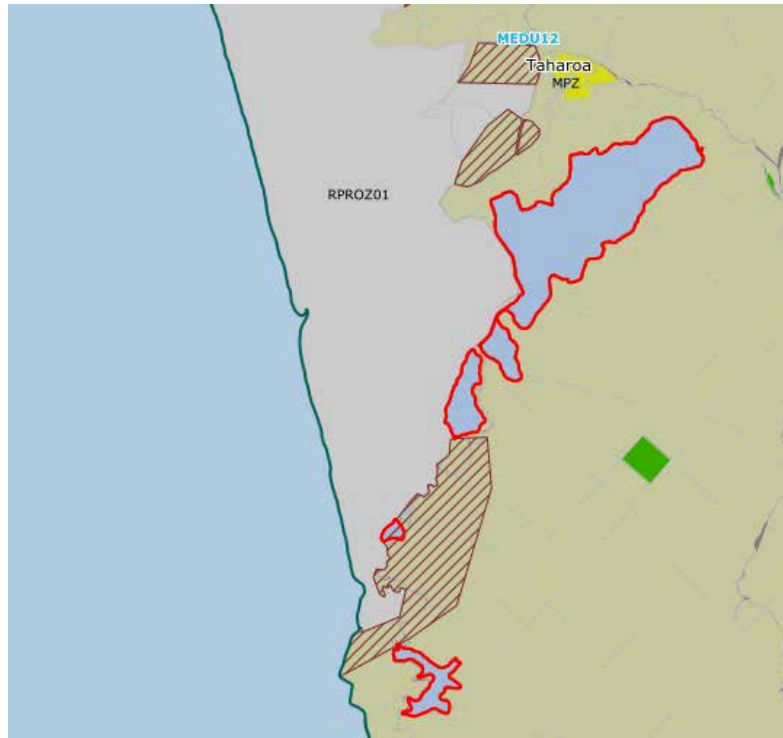
Consultation and Notification of Proposed Plan

10. Despite the significant effects that the Proposed Plan would impose on the TRONM area of interest, no consultation with TRONM on the Proposed Plan was undertaken by the Council prior to notification. There was no consultation with any of the hapuu marae or the following trusts which own and/or manage land within the TRONM area of interest, specifically in Tahaaroa:

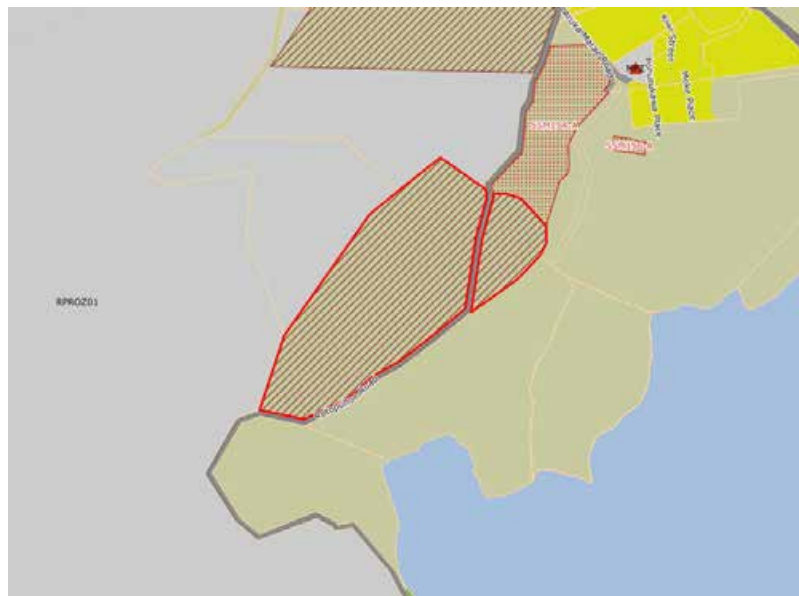
- a. Roy Wetini Whaanau Trust Land (Taharoa A1C7A, A1C7D, A1C16J2, A1C12, A7J11B2A, A7J11B2B, A1C15B1, Part Taharoa A1C7C and Taharoa A1C15A Blk XVI Albatross SD). The relevant parcels are shown in Figure 2 below;



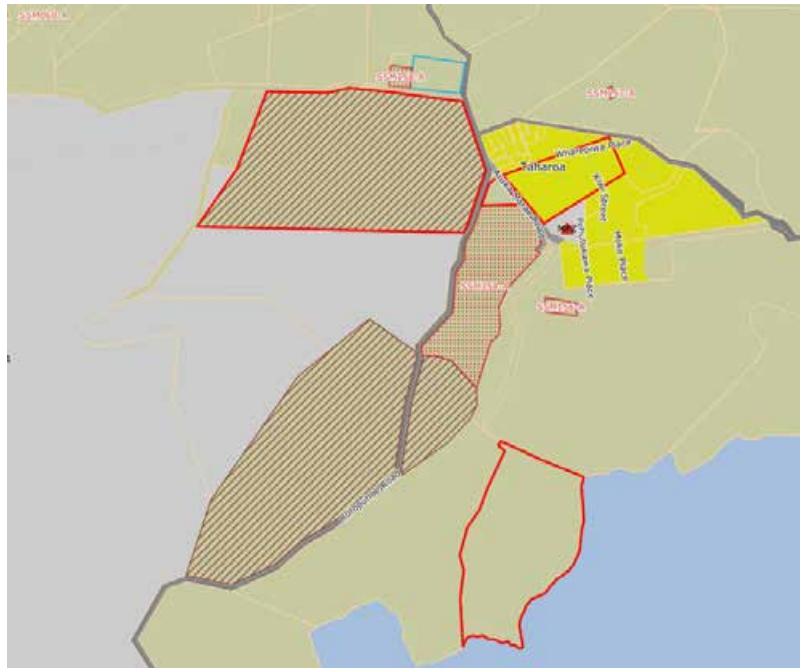
- b. Tahaaroa Lakes Trust (Taharoa A7A2A). The relevant parcels are shown in Figure 3 below;



- c. Te Huia Pihopa Trust (Taharoa A7J8C). The relevant parcels are shown in Figure 4 below;



- d. Piwa Tohi Awhina Reservation (Part Taharoa A7J2 Block). The relevant parcels are shown in Figure 5 below;



11. The only recorded notification of the above trusts was a generic letter, which the Council confirmed was sent to the Roy Wetini Whaanau Trust (but not received by the Trust). This letter did not contain any details about the significant implications of the proposed rezoning, indicative area overlay, rules, and policies on how the trust may use their land. No other trust outlined above and within the TRONM area of interest received any notification or consultation.

12. TRONM has representation on Te Whakakitenga o Waikato, through their marae and recognises the role and representation of Te Whakakitenga o Waikato as an Iwi Authority, which has the mandate to uphold the interests of all hapuu and marae afforded to Waikato-Tainui prescribed within the Waikato Raupatu Claims Settlement Act 1995 and the Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010. It is through this association that their interests are also represented by Waikato-Tainui. However, Waikato-Tainui have also confirmed that no consultation or engagement regarding the TRONM area of interest was undertaken by Council with Waikato-Tainui.

13. This lack of meaningful consultation and engagement is contrary to Clauses 3, 3B, 4A, 5(1A) of Schedule 1 of the RMA. It has significantly hindered TRONM's, and any of the whaanau trusts outlined above, ability to be involved in the review and

preparation on the Proposed Plan, and meant they were only able to engage at the submission or further submission stage, despite being mana whenua over the TRONM area of interest.

SCOPE OF APPEAL

14. TRONM appeals the following parts of the Decision:

- a. Failure to recognise and provide for development of Maaori Land and values within the TRONM area of interest;
- b. Rezoning from Rural Zone to Rural Production Zone within the TRONM area of interest;
- c. The inclusion and application of the Indicative Rural Production Area overlay within the TRONM area of interest;
- d. The impact of Rule GRUZ-S6 (previously GRUZ-R42) on Maaori Land;
- e. Policies RPROZ-P4 and RPROZ-P6, and Rule RPROZ-R25; and
- f. The findings on scope in relation to the Roy Wetini Whaanau Trust's further submission.

GENERAL REASONS FOR THE APPEAL

15. The general reasons for this appeal, and for the relief sought, are that the Decision and the Proposed Plan provisions:

- a. Fail to promote the sustainable management of natural and physical resources;
- b. Will not enable the Council to carry out its functions to achieve the purpose of the RMA;

- c. Are inconsistent with Part 2 of the RMA, in particular by not recognising and providing for the ability of Maaori to connect to their ancestral lands as required under section 6(e), by not having particular regard to kaitiakitanga as required under section 7(a), and by not taking into account the principles of Te Tiriti o Waitangi as required by section 8 of the RMA;
- d. Will not manage or enable the efficient and integrated use, development and protection of natural and physical resources;
- e. Will not give effect to higher order planning instruments in accordance with section 75 of the RMA;
- f. Do not avoid, remedy, or mitigate actual and potential adverse effects on the environment; and
- g. Are not the most appropriate way to achieve the objectives of the Proposed Plan in terms of section 32 of the RMA.

16. In addition, and without limiting the generality of the above, TRONM raises the following additional reasons and grounds of appeal.

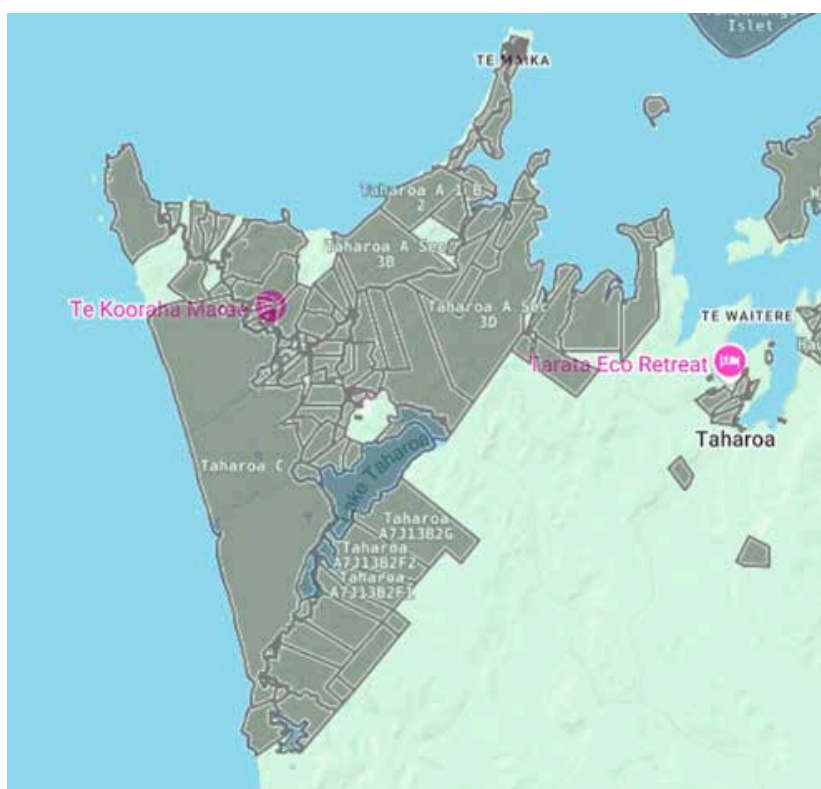
FURTHER AND SPECIFIC REASONS FOR THE APPEAL AND FOR RELIEF SOUGHT

17. Within limiting the general grounds of appeal, the specific reasons for the appeal, and for the relief sought, are:

Recognition and Development of Maaori Land

- a. The Decision does not adequately recognise or provide for the development of Maaori Land¹ in accordance with section 6(e) of the RMA. This is of particular relevance to TRONM given the significant area of Maaori Land within the relevant area of interest (see Figure 6 below);

¹ For the purpose of this Notice of Appeal Maaori Land refers to Maaori freehold land, Maaori customary land, Maaori reservation or Treaty settlement land.



- b. The submission of TRONM sought amendments to the Proposed Plan that would recognise Maaori Freehold and Customary land (ancestral lands) inherited by whakapapa. This submission also sought the inclusion of provisions to enable development of Maaori Freehold Land and Treaty Settlement Land (General Land used for Maaori purpose), which would enable Maaori to sustainably plan for whaanau aspirations. Neither of these submission points were adequately addressed or provided for in the Decision;
- c. The Proposed Plan identifies a Maaori Purpose Zone (MPZ) which may have some benefit to mana whenua associated with that marae however the area of land identified within the MPZ is extremely limited with approximately 3 hectares within the TRONM area of interest (Te Kooraha and Aaruka marae).

Maaori Values and Maatauranga Maaori

- d. The submission of TRONM sought amendments to include the same approach that has been adopted by Waikato District Council in the Appeals

Version of the Proposed Waikato District Plan for Maaori values and Maatauranga Maaori. This included the addition of a rule as follows:

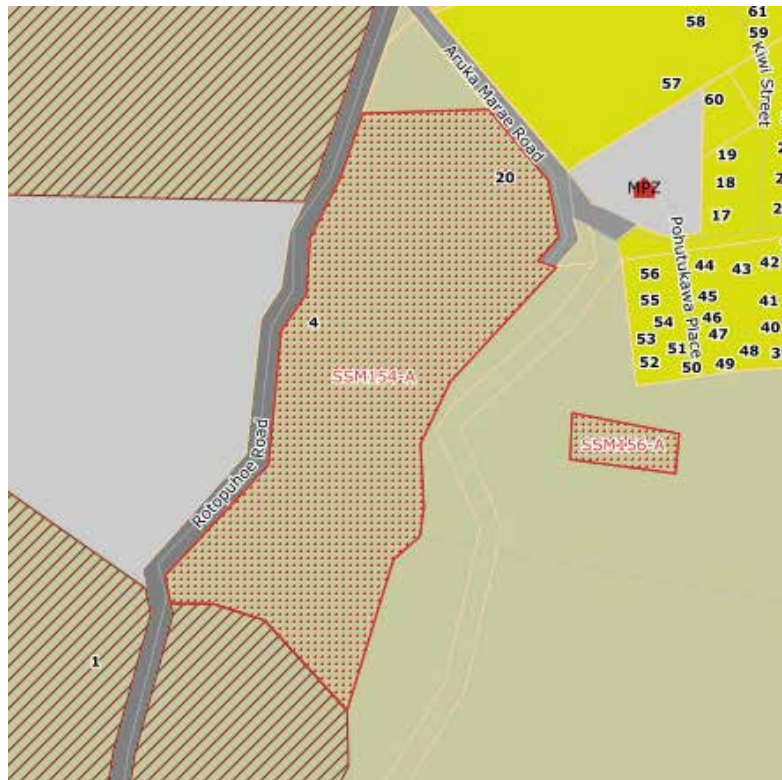
(1) All discretionary and non-complying activities in Part 2 wide matters and Part 3 – Area-specific matters sections of this Plan must address:

(a) The effects on values held by mana whenua and the appropriateness to mana whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document;

- e. The Decision does not include such a rule. TRONM maintains that a rule as set out above is required;

Rezoning from Rural Zone to Rural Production Zone

- f. The Decision extends the Rural Production Zone to parcels located in Tahaaroa and in the TRONM area of interest which were previously zoned as Rural land. The effect of this rezoning is that mining extraction activities will be able to take place on land within the TRONM area of interest as a permitted activity (subject to standards) and the land and surrounding parcels are subject to fewer environmental protections;
- g. There are significant areas and sites, including SSM154-A, which is identified in the Proposed Plan as a waahi tupuna site which symbolises life and the oral narratives of the local tribal guardians. This site will be adversely impacted by the more lenient rules applying to mining activities. SSM154-A is identified in the Proposed Plan is shown in Figure 7 below;



- h. The rezoning also adversely impacts the TRONM area of interest by bringing cumulative adverse impacts of mining activities (e.g. dust), with fewer restrictions and rules, closer to Maaori land;
- i. The rezoning was executed without adequate analysis of the effects of a long-term change in the use of the land within the TRONM area of interest, and without evidence of consultation with affected parties including mana whenua, particularly around the significant restrictions the rezoning would impose on adjoining rural land under Rule GRUZ-S6. TRONM is concerned that this lack of analysis and consultation leaves the parcels owned by whaanau vulnerable to adverse long-term environmental and cultural impacts;

Application of Indicative Rural Production Areas Overlay within the TRONM area of interest

- j. The Decision applies an Indicative Rural Production Areas Overlay on parts of the TRONM area of interest. The section 42A report for the Proposed

Plan sets out pre-conditions for identified land to be included within the overlay. These include that:

- i. the ability to map an indicative area only applies to quarries of regional significance;
 - ii. indicative zoning only applies to extensions of quarries that are currently being worked and you must demonstrate you own the land or have an agreed lease in place;
 - iii. there must be plans to work the indicative area over the lifetime of the district plan (10-15 years);
 - iv. mapping does not mean a consent or plan change application will be granted, but rather it indicates the general area of expansion to effectively address potential reverse sensitivity issues; and
 - v. it is the choice of the regionally significant site whether to map an indicative area, however if the site has a consent in place to work an area, that area should be live zoned;
- k. The pre-conditions to include parcels in the TRONM area of interest in the Indicative Rural Production Area overlay have not been met in relation to the TRONM area of interest, particularly within Tahaaroa.

Rule GRUZ-S6 (previously GRUZ-R42)

- l. Rule GRUZ-S6 (previously GRUZ-R42) establishes a minimum setback for a building housing a residential activity of 250 metres from the boundary of a Rural Production Zone or the boundary of an established site of intensive indoor primary production. TRONM opposes the inclusion of this rule where it would impact Maaori land as this is contrary to providing for development on Maori land;

- m. The majority of parcels adjoining the Rural Production Zone within Tahaaroa is Maaori land. The expansion of this zone and inclusion of this rule would further extend these restrictions across additional Maaori land. These restrictions undermine the ability of whaanau in Tahaaroa to develop their land in a fair and reasonable manner and to maintain and strengthen their connection to ancestral lands, contrary to section 6 of the RMA;

Rule RPROZ-R25

- n. the Decision amends this rule which relates to requirements for Outdoor storage screening by adding the following:²

RPROZ-R25 Provided this rule does not apply to overburden located on sites RPROZ-1 to RPROZ-9 (as listed in RPROZ-SCHED1).

- o. This amendment would remove the requirements for outdoor storage screening for the placement of overburden from quarry sites including RPROZ-1 (Taharoa Ironsands Limited). This amendment has the potential to impact adversely on the amenity experienced by adjoining landowners.

RELIEF SOUGHT

18. TRONM seeks the following relief:

- a. Inclusion of additional provisions that recognise and provide for the relationship of Maaori with their land (pursuant to section 6(e);
- b. Amendment to Rule GRUZ-S6 (previously GRUZ-R42) to exempt Maaori Land from the requirements of Rule GRUZ-S6.1;

² The status of this amendment is unclear. The Decision states that it accepts all recommendations in the s42A report on this rule, which would include this amendment, however we note that this does not appear in the Decisions version of the provisions.

- c. Amendment of the Rural Production Zone map and RPROZ-SCHED1 to remove the land previously within the Rural Zone of the Operative Plan, within the TRONM area of interest;
- d. Removal of the Indicative Rural Production Areas overlay and notations, within the TRONM area of interest;
- e. Amendment of policies RPROZ-P4 and RPROZ-P6, and rule RPROZ-R25 in the Decision to the notified version of the provisions; and
- f. Such other orders, relief, alternative and/or other consequential amendments to address the concerns set out in this appeal.

19. The following documents are attached to this notice of appeal:

- (a) A copy of TRONM's submission and statement on the Proposed Plan (**Annexure A**);
- (b) A copy of the relevant part of the Decision (**Annexure B**)
- (c) A list of names and addresses of persons to be served with this notice of appeal (**Annexure C**).

20. TRONM agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Signed: Nevada Huaki on behalf of John Kanawa (Chair - Te Ruunanga o Ngaati Mahuta ki te Hauaauru Trust)

DATED 31 July 2025

Address for service:

Iarau Limited

1144 Hinemoa Street, Rotorua 3010

Telephone: 022 420 8066

Email: nevada@iarau.io

Contact person: Nevada Huaki

Advice to recipients of copy of notice of appeal**How to become party to proceedings:**

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the part of the decision appealed.

These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court Auckland Registry.

Annexure A: Copy of TRONM's submission and statement on the Proposed Plan

Proposed Waitomo District Plan

SUBMISSION FORM



Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5

15 Queen Street, Te Kuiti 3910
PO Box 404, Te Kuiti 3941 0800 932 4357
districtplan@waitomo.govt.nz
www.waitomo.govt.nz

Closing date for submissions: 12pm on 23 December 2022

SUBMITTER DETAILS: (please note that the (*) are required fields and must be completed)

Name of submitter: * Te Ruunanga o Ngaati Mahuta ki te Hauaauru	
Contact person for communications: * Nevada Huaki-Foote	
Agent (if applicable): Nevada Huaki-Foote	
Postal address: * 44 Tautoro Road	
Suburb:	Town/City: * Ngaaruawaahia
Country:	Postal code: * 3720
Daytime phone:	Mobile: 021 0838 8684
Email address for submitter: * tmtbidois@gmail.com Email address for agent (if applicable): nevadahuaiki@yahoo.co.nz	
Please tick your preferred method of contact *	
<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Postal
Correspondence to *	
<input type="checkbox"/> Submitter	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Both
Trade competition and adverse effects: *	
<input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission.	
Only if you ticked "I could" above, please answer this question: I am/am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.	
Note to person making submission: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.	
Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission): <ul style="list-style-type: none">it is frivolous or vexatious;it discloses no reasonable or relevant case;it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;it contains offensive language;it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.	
Would you like to present your submission in person at a hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If others make a similar submission I will consider presenting a joint case with them at the hearing. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Please complete a line for every submission point, adding as many additional lines as you need:

The specific provisions of the proposal that my submission relates to e.g provision number, map number	Do you: <ul style="list-style-type: none"> Support? Oppose? Amend? 	What decision are you seeking from Council? What action would you like: <ul style="list-style-type: none"> Retain? Amend? Add? Delete? 	Reasons
e.g SD-O5	e.g Support	e.g Retain Objective SD-O5	e.g It will help to reduce adverse effects between activities and ensure resources are used efficiently
See attached table for submission points		See attached table for submission points	See attached table for submission points

Signed:  Date: 22 December 2022

(A signature is not required if you make your submission by electronic means)

PRIVACY ACT NOTE: Please note that all information provided in your submission will be used to progress the process for this proposed district plan, and may be made publicly available.

Submission #

Customer #

Property #



Provision/s	Position	Action	Reasons
PART 1 – INTRODUCTION AND GENERAL / MANA WHENUA 15. Mana whenua	Support	RETAIN Mana whenua chapter.	Acknowledges aspirations of Mana whenua.
PART 1 – INTRODUCTION AND GENERAL / MANA WHENUA / 15. Mana whenua / Recognition of Iwi and Hapū	Support in part	ADD in the Recognition of Iwi and Hapū section the following words: <u>Council recognises that, as Treaty claims are settled, there may be other iwi authorities who wish to be recognised within the Waikato District.</u>	Provides appropriate recognition for other authorities not specifically referenced in the plan and reduces the need for future plan changes to include such recognition. Recognises that consultation and engagement is not limited to those explicitly listed.
PART 1 – INTRODUCTION AND GENERAL / MANA WHENUA / 15. Mana whenua / Engagement and Consultation with Mana Whenua	Support in part	ADD in the Engagement and Consultation with Mana Whenua section the following words: <u>Council recognises that, as Treaty claims are settled, there may be other iwi authorities who wish to be recognised within the Waikato District.</u>	Provides appropriate recognition for other authorities not specifically referenced in the plan and reduces the need for future plan changes to include such recognition. Recognises that consultation and engagement is not limited to those explicitly listed.
PART 1 – INTRODUCTION AND GENERAL / MANA WHENUA / 15. Mana whenua / Hapū and Iwi Planning Documents	Support in part	ADD in the Hapū and Iwi Planning Documents section the following words: <u>Several other Hapū and Iwi planning documents are also in the process of being prepared, should a plan be published, it will be added to the Waitomo District Council website.</u>	Provides appropriate recognition for other Hapū and Iwi planning documents not specifically referenced in the plan and reduces the need for future plan changes to include consideration of newly prepared documents.
PART 2 – DISTRICT-WIDE MATTERS / STRATEGIC DIRECTION / 16. Strategic direction, urban form and development – SD	Support	RETAIN strategic directions.	Acknowledges aspirations of Mana whenua and obligations under Te Tiriti o Waitangi.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / 25. Sites and areas of significance to Māori – SASM / Objectives and policies	Support	RETAIN objectives and policies.	Support the recognition and protection of sites identified as a SASM.

PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / 25. Sites and areas of significance to Māori – SASM / SASM-R7	Oppose in part	AMEND SASM-R7 to remove cultivation as a permitted activity under minor earthworks and provide for it as a restricted discretionary activity.	Cultivation is specifically excluded from the National Planning Standards definition of earthworks and is not considered to be appropriate under “minor earthworks” as it has the potential to be more destructive.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / 25. Sites and areas of significance to Māori – SASM / Advice note	Support	RETAIN Accidental discovery protocol advice note to include notification of relevant Mana whenua.	Support the need for Mana whenua to be notified.
PART 2 – DISTRICT-WIDE MATTERS / GENERAL DISTRICT-WIDE MATTERS / 33. Earthworks – EW / EW - Table 1 - Activities Rules	Support	RETAIN exclusion of earthworks provisions for SASM.	Support the exclusion of SASMs from general earthworks rules.
PART 2 – DISTRICT-WIDE MATTERS / GENERAL DISTRICT-WIDE MATTERS / 35. Hapori whānui (Provisions for community wellbeing, safety and amenity) - HW / HW-R1, HW-R5, HW-R11	Support	RETAIN provisions which provide for customary cultural activities as permitted activities.	Support providing for customary cultural activities and gives effect to section 6 Matters of the RMA.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES	Support	RETAIN existing chapters to recognise and protect historical and cultural values.	Gives effect to section 6 Matters of the RMA.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / MV – Māori values and Mātauranga Māori / MV-R1	Support	AMEND the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Māori values and Mātauranga Māori AND include the MV-R1, as follows: <div><div>MV-R1</div><div>(1) <u>All discretionary and noncomplying activities in Part 2 wide matters and Part 3 – Area-specific matters sections of this Plan must address:</u> (a) <u>The effects on values held by mana whenua and the appropriateness to mana</u></div></div>	Provides recognition of iwi planning documents and consideration of mātauranga Māori. Attached as part of this submission. Supports a consistent approach and application across the region.

			<u>whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document.</u>	
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / TETW – Te Ture Whaimana – Vision and Strategy	Support	AMEND the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Te Ture Whaimana.		Provides better recognition for Te Ture Whaimana. Attached as part of this submission. Supports a consistent approach and application across the region.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / ML – Māori owned land	Support	AMEND the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Māori owned land (which includes Māori Freehold Land and Treaty Settlement Land.		Provides for the development of Māori owned land to support Mana whenua aspirations. The Waikato Proposed District Plan has provisions for Māori Freehold land and Treaty Settlement land (which came back as General Land) to be treated the same. Waikato District Council have provided forward thinking for whenua Māori development and have provisions to enable Māori to sustainably plan for their whānau aspirations. Supports a consistent approach and application across the region. ML chapter has been included with this submission. Although the mapping/zoning of Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori owned land.

PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / ML – Māori owned land	Support	AMEND the Plan to enable the development of Māori Freehold land (ancestral lands) inherited by whakapapa.	Give effect to section 6 Matters of the RMA. A zoning approach does not provide for development at the same level as general users. Provides for the development of Māori owned land to support Mana whenua aspirations. The Waikato Proposed District Plan has provisions for Māori Freehold land and Treaty Settlement land (which came back as General Land) to be treated the same. Waikato District Council have provided forward thinking for whenua Māori development and have provisions to enable Māori to sustainably plan for their whānau aspirations. Supports a consistent approach and application across the region. Although the mapping/zoning of Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori owned land.
PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / ML – Māori owned land		AMEND the plan to include provisions that enable development on Māori freehold land and Treaty Settlement Land (General Land used for Māori purpose).	Give effect to section 6 Matters of the RMA. A zoning approach does not provide for development at the same level as general users. Provides for the development of Māori owned land to support Mana whenua aspirations. The Waikato Proposed District Plan has provisions for Māori Freehold land and Treaty Settlement land (which came back

			as General Land) is treated the same. Waikato District Council have provided forward thinking for whenua Māori development and have provisions to enable Māori to sustainably plan for their whānau aspirations. Supports a consistent approach and application across the region. Although the mapping/zoning of Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori owned land.
PLAN WIDE	Support	RETAIN provisions to provide for papakaainga development on Māori owned land in all zones.	Gives effect to section 6 Matters of the RMA.
PLAN WIDE	Oppose in part	DELETE provisions that restrict the number of residential units able to be developed on Māori owned land.	Recognises the complexities administered under the Māori land Court and to let Māori landowners decide how many houses they need for their shareholders without additional limitations. It is important that provisions within the district plan for Māori owned land are more enabling. This would also be a more effective and efficient way to give effect to section 6 of the RMA.
PLAN WIDE	Support	RETAIN provisions to provide for home businesses on Māori owned land in all zones.	Gives effect to section 6 Matters of the RMA.
PART 3 – AREA-SPECIFIC MATTERS / ZONES PRECINCTS / Special purpose / 51. Māori purpose zone - MPZ	Support in part	RETAIN intent of the MPZ zone in providing for the development of Māori owned land and supporting Mana whenua aspirations.	Provides for the development of Māori owned land to support Mana whenua aspirations. Although the mapping/zoning of

			Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori owned land.
PART 3 – AREA-SPECIFIC MATTERS / ZONES PRECINCTS / Special purpose / 54. Te Maika Precinct – PREC7	Support in part	RETAIN intent of PREC7 in supporting Mana whenua aspirations.	Provides for the development of Māori owned land to support Mana whenua aspirations.

ML – Maaori land

The relevant area specific zone chapter provisions apply in addition to this chapter.

Overview

Understanding Maaori land tenure

- (1) Land in Aotearoa was governed and managed by hapuu in accordance with tikanga. This customary regime was profoundly changed in 1840 with the British Crown's assumption of sovereignty and the introduction of the doctrine of tenure and estates. The Crown became the sole body able to deal with Maaori regarding land. Following Te Riri Paakehaa (the New Zealand land wars), the government confiscated millions of acres of land from hapuu and iwi in the Waikato under the New Zealand Settlements Act 1863. Thousands of acres were returned via a Compensation Court. This land was no longer customary land. It had been converted into a freehold title. The Native Land Court was also established in the 1860s. One of the Court's primary tasks was to determine the nature of the Maaori customary interest in any land and to convert that interest into a fee simple interest which settlers could then directly purchase from those Maaori to whom it has been awarded. This land is now known as Maaori Freehold Land. As a result of Native Land Court determinations for generations that, on intestacy, interests were to be distributed equally among the children of the deceased, land interests have become fragmented. The combined impact of confiscation and the Native Land Court regime took from Maaori the land necessary to sustain their people. Other laws, such as Public Works legislation, also contributed to alienation of land. Today, approximately 5.5% of the land mass in Aotearoa New Zealand is Maaori Land that comes under the jurisdiction of Te Ture Whenua Maaori 1993. That includes some 5% of the land in Waikato District. Individualisation and extreme fragmentation continue to impede efforts of Maaori landowners to utilise and develop their land. This plan incorporates specific objectives, policies and rules and methods that are intended to enable utilisation and development.
- (2) Section 2 of Te Ture Whenua Maaori Act 1993 (Te Ture Whenua) directs that the powers, duties and discretions conferred by Te Ture Whenua are to be exercised in a manner that facilitates and promotes the retention, use, development and control of Maaori land as a taonga tuku iho. In light of the legislative history summarised above, and the designation of Maaori land as a taonga tuku iho, Te Ture Whenua imposes restraints on further alienation of land. The Maaori Land Court has jurisdiction to do such things as set aside land as a Maaori Reservation, to establish trusts, to grant occupation orders, and to grant orders for partition. It is common for the Court to request a Concept Management Plan or a Land Plan and comments from the Council as part of its deliberations).

Te Ture Whenua

Maaori reservations

- (3) Under section 338, a Maaori Reservation may be created from Maaori Freehold Land or General Land for:
 - (a) "...the purposes of a village site, marae, meeting place, recreation ground, sports ground, bathing place, church site, building site, burial ground, landing

place, fishing ground, spring, well, timber reserve, catchment area or other source of water supply, or place of culture cultural, historical, or scenic interest, or for any other specified purpose;" or

- (b) for "a waahi tapu, being a place of special significance according to tikanga Maori".

It is not necessary for a Maaori Reservation to include a marae and section 338 is broad enough to include a hauora, or health facility.

Trusts and incorporations

- (4) In light of difficulties associated with multiple ownership, Trusts and Incorporations are useful for managing blocks of Maaori Freehold Land or General Land. The Ahu Whenua Trust is the most common form of trust used for commercial purposes. Under section 215, an Ahu Whenua Trust may be formed where the Court is satisfied that the trust would "promote and facilitate the use and administration of the land in the interests of the persons beneficially entitled". Other forms of trust that can be established under Te Ture Whenua that may be used to manage land include Whaanau Trusts and Whenua Toopu Trusts. The Court is required to set out the terms of any trust by Court order. The Trust Order would also identify the purposes of the Trust. Incorporations are another popular model for managing Maaori land. Incorporations are administered by management committees elected by shareholders, who work to a constitution set down by the Maaori Incorporations Constitutions Regulations 1994. A land plan or concept management plan can be useful as a planning tool to assist trustees and committee members fulfil their responsibilities, such as allocating licences to occupy land.

Occupation orders

- (5) Under Part 15, the Maaori Land Court may make an Occupation Order over Maaori Freehold Land or General Land. Where there is a Trust or Incorporation in place, the Court must not make an Occupation Order without the consent of the trustees or the Incorporation.

Integrated development of Maaori Freehold Land

- (6) The integrated and comprehensive management of Maaori land is promoted through a range of methods outside of the regulatory framework of the District Plan. Council has been actively leading the promotion of integrated planning of Papakaainga housing development with Te Puni Kookiri and a range of supporting agencies including Waikato Regional Council. This commenced with the development of the Papakaainga Maaori Housing Toolkit in 2013, developed to assist landowners in their aspirations to return to their whenua. This toolkit includes the development of concept plans.

Treaty Settlement Land

- (7) As part of Treaty Settlements, claimant groups such as iwi and hapuu receive an acknowledgement and apology by the Crown for its past actions and omissions, particularly in relation to confiscation, the Native Land Court regime and other legislation that led to Maaori being dispossessed of their land. Through settlement processes, post-settlement governance entities are established to receive cultural and commercial redress. The return of land is an integral form of both cultural and

commercial redress. With a few exceptions, claimants choose to have their redress land returned to them as General Land, rather than Maaori Freehold Land. The 1995 Waikato Raupatu Settlement created a unique form of inalienable title known as Pootatau Te Wherowhero title. Some of Waikato-Tainui's land is held in this title. For the purposes of this plan, land returned via a Treaty settlement is called Treaty Settlement Land. In this plan, Maaori land encompasses both Treaty Settlement Land and land that comes under Te Ture Whenua. Given the historical context set out above, it is an aim of this plan to remove any undue barriers for Maaori to utilise, manage and enjoy their land. To this end, the plan provides permitted activity status for particular uses and administration of Maaori Land.

Objectives

- ML-OI Whenuatanga (land management). **{CONSQ}**
- Tangata Whenua have the ability to utilise, manage and enjoy Maaori land in accordance with tikanga Maaori, including maatauranga Maaori.

Policies

- ML-PI Tangata whenuatanga (utilisation by landowners). **{CONSQ}**
- (1) Tangata Whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations.
- (2) Tangata whenua are enabled to sustainably use and develop Maaori Land, through a range of uses in accordance with tikanga and maatauranga Maaori, including:
- (a) Marae and associated facilities;
 - (b) Papakaainga housing development;
 - (c) Papakaainga buildings;
 - (d) Cultural events;
 - (e) Urupaa;
 - (f) Tuaahu;
 - (g) Waharoa;
 - (h) Church;
 - (i) Hauora;
 - (j) Koohanga;
 - (k) Conference centre and facilities;
 - (l) Waananga;
 - (m) Recreation facilities; and,
 - (n) Papa taakaro.
- (3) Commercial activity is provided for in a way and at a scale that supports the occupation, development and use of Maaori land and meets the needs of Tangata Whenua, whilst complementing or supporting the role of business town centres in the District.

Non-regulatory policies

ML-P2 Non-regulatory policies. **{CONSQ}**

- (1) Council will work with iwi, hapuu and whaanau to encourage and support the comprehensive, co-ordinated and efficient development of Maaori land.
- (2) Alongside partner agencies, Council will support and promote the use of best practice guidance and toolkits for Maaori housing, including Te Kete Paaraha Mo Nga Papakaainga Ki Waikato: Waikato Maaori Housing Toolkit, to assist iwi and hapuu in the development of Maaori land.

Rules

- (1) The rules that apply to Maaori Land are:
 - (a) Land use – activity rule ML-R1 to ML-R5;
 - (b) Land use – activity rules of the underlying zone, excluding the following:
 - (i) Home business; and
 - (ii) Commercial activity where the activity status is non-complying.
 - (c) Land use – effects rules of the underlying zone.
 - (d) Land use – building rules of the underlying zone, excluding the following:
 - (i) Number of residential units;
 - (ii) Minor residential unit rules;
 - (iii) Buildings and structures in Landscape and Natural Character Areas;
 - (iv) Building height; and
 - (v) Building coverage.
- (2) The following activities from Part 2 – District-wide matters do not apply to activities on Maaori Land:
 - (i) Rule WWS-R15 (Outfall structures located within an Identified Area);
 - (ii) Rule TRPT-R1(1)(a)(ix) (Vehicle access for all activities);
 - (iii) Rule TRPT-R2(1)(a)(v) (On-site parking and loading);
 - (iv) Rule TRPT-R2(1)(a)(vi) (On-site parking and loading);
 - (v) Rule TRPT-R2(1)(a)(x) (On-site parking and loading); and,
 - (vi) Rule TRPT-R3(1)(a)(vii) (On-site manoeuvring and queuing).]

Land use – activities

ML-R1	Maaori purpose activity {CONSQ}	
Maaori Land across all zones	(1) Activity status: PER Activity-specific standards: <ol style="list-style-type: none"> (a) Building height does not exceed 7.5m in any of the following areas: (i) Outstanding Natural Landscape; 	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> (a) The adverse visual and amenity effects from any building or

	<ul style="list-style-type: none"> (ii) Outstanding Natural Feature; (iii) Outstanding Natural Character Area of the coastal environment; (iv) High Natural Character Area of the coastal environment; <p>(b) For residential units:</p> <ul style="list-style-type: none"> (i) Where the underlying zone would otherwise require an outdoor living space, and compliance with that cannot be achieved, a communal living court of at least 24m² per residential unit shall be provided. (ii) Where the underlying zone would otherwise require a service court, and compliance with that cannot be achieved, a communal service court of at least 3m² per residential unit shall be provided at ground floor. 	<p>structure on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated;</p> <p>(b) In regards to outdoor living spaces:</p> <ul style="list-style-type: none"> (i) The extent to which the space is useable to the occupiers; (ii) Access to sunlight; (iii) Privacy of adjoining residential sites; and, (iv) Accessibility to and convenience of the space for occupiers; <p>(c) In regards to service courts:</p> <ul style="list-style-type: none"> (i) The convenience and accessibility of the spaces for building occupiers; (ii) The adequacy of the space to meet the expected requirements of building occupiers; and, (iii) Adverse effects on the location of the space on visual amenity from the street or adjoining sites.
ML-R2	Home business {CONSQ}	
Maaori Land across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) There is only one home business per residential unit; (b) Each home business does not occupy more than 100m²; (c) Is wholly contained within a building; (d) No more than two people who are not permanent residents of the site are employed at any one time per home occupation; (e) Unloading and loading of vehicles or the receiving of customers or deliveries only occur after 7:00am and before 7:00pm on any day; and, (f) Machinery is only operated after 7:30am and up to 7:00pm on any day. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The adverse visual and amenity effects from any building or structure on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.
ML-R3	Visitor accommodation at Riria Kereopa Drive {CONSQ}	

Maaori Land across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
ML-R4	Commercial activity at Riria Kereopa Drive {CONSQ}	
Maaori Land across all zones	(1) Activity status: PER Activity-specific standards: (a) Commercial activity is for any one or more of the following: (i) Restaurant; (ii) Car wash; (iii) Boat wash; (iv) Grocery store; or (v) Boating store.	(2) Activity status where compliance not achieved: DIS
ML-R5	Any commercial activity that is a non-complying activity in the land-use activity rules of the relevant zone chapter. {CONSQ}	
Maaori Land across all zones	(1) Activity status: DIS Activity-specific standards: Nil.	

Advice notes:

(1) Council encourages Maaori Land Trusts to prepare a Concept Management Plan as part of their land planning, to assist shareholders to overcome the barriers of consents and funding grants from other agencies. A Concept Management Plan is a 'Best Practice Planning Tool' that was introduced by the Te Kete Paaraha Mo Nga Papakainga Ki Waikato (Waikato Maaori Housing Toolkit).

(2) As part of the building consent process, an applicant seeking to build on Maaori Freehold Land or Maaori Customary Land may be required to provide:

(a) a Licence to Occupy, where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation;

(b) A lease, or an Occupation Order of the Māori Land Court, where a Trust Order or Maaori Incorporation does not exist.

MV – Maaori values and Maatauranga Maaori

The relevant area specific zone chapter provisions apply in addition to this chapter.

Values of importance to Maaori

This chapter addresses values of importance to Maaori and the following provides an explanation and description of identified values of importance to Maaori. These values are represented in the objectives and policies of this chapter and particular zone rules. As such this chapter is to be read in conjunction with zone chapters which contain matters of discretion to address the effects of certain activities and land uses on mana whenua values.

Kaitiakitanga

- (1) Mana whenua have a responsibility to protect and nurture the mauri of all living things within their sphere of influence and control. The exercise of kaitiakitanga recognises the intricate balance and integral relationship between and with all natural resources. Mana whenua have learnt and long recognised that, in order for the environment to sustain life, people have a responsibility to protect and sustain the environment.

Manaakitanga

- (2) Mana whenua have an obligation to manaaki all manuwhiri that arrive in the rohe. The ability to care for and support manuwhiri is an expression of the mana and wealth of mana whenua. Waikato is home for many Maaori from other iwi, who live in the region.

Tikanga

- (3) Sustainable management of natural resources provides for the ongoing sustenance of tangata whenua and manuwhiri. Provisions required to sustain natural resources is captured in tikanga. Tikanga ensures that traditional practices observed by mana whenua are given appropriate recognition in resource management and includes acknowledgement of Atua Maaori. Tikanga is a living and evolving concept and embodies all aspects of mana whakahaere. Application of tikanga developed over generations and the exercise of mana whakahaere ensures sustainable resource management in the present day and for generations to come.

Mana whakahaere

- (4) Mana whakahaere is the exercise of authority, access to, and management of resources in accordance with tikanga, within the Waikato rohe by mana whenua. Waikato Iwi mana whakahaere has long been exercised over many generations.

Objectives

MV-OI Recognition of Maaori values.

- (1) Maaori values are recognised and mana whenua are able to exercise kaitiakitanga, manaakitanga tikanga and mana whakahaere.
- (2) Recognise that only tangata whenua can determine effects on their values, traditions, resources, waters, sites of significance, waahi tapu, other taonga and taonga species.

- MV-O2 Hononga.
The connections between tangata whenua and their ancestral lands, water, sites of significance, waahi tapu, other taonga and taonga species are protected or enhanced.
- MV-O3 Kaitiakitanga.
The exercise of kaitiakitanga by mana whenua is recognised and maintained.
- MV-O4 Whakaute ahuraa.
Cultural practices and beliefs of mana whenua are respected.
- MV-O5 Tikanga aa-iwi o Waikato me te takiwaa o Waikato.
Recognise the cultural significance of Waikato Takiwaa (district).

Policies

- MV-P1 Hononga (relationship between tangata whenua and to nature).
- (1) Recognise the hononga (relationship of between mana whenua and nature) with waters, ancestral lands, sites of significance, waahi tapu, urupaa, maunga and other landforms, mahinga/hauanga kai, and other taonga and taonga species (indigenous flora and fauna), which may include:
- (a) Cultural value assessments and/or cultural impact assessments;
 - (b) Accidental discovery protocols;
 - (c) Use of mana whenua traditional place names;
 - (d) Protection, enhancement and restoration of mauri;
 - (e) Use of appropriate locally sourced native plant species where practicable;
 - (f) Use of archaeological information including Maaori archaeological information; and
 - (g) Incorporation of traditional or sympathetic Maaori design elements where practicable.
- MV-P2 Kaitiakitanga (stewardship/guardianship).
- (1) Enable mana whenua to exercise kaitiakitanga where activities have the potential to adversely affect ancestral lands, water, sites, waahi tapu, and other taonga, which may include:
- (a) Providing for early and ongoing engagement with mana whenua;
 - (b) Providing for kaitiaki involvement in land use and subdivision proposals as a means to uphold mauri and taonga inherited from tuupuna;
 - (c) Acknowledging and providing for the appropriate use of maatauranga Maaori and recognise that iwi, hapuu and whaanau are owners and kaitiaki of maatauranga Maaori; and,
 - (d) Providing opportunities for mana whenua involvement in decision-making on resource consents in relation to Sites and Areas of Significance to Maaori and issues of cultural significance.

MV-P3 Aahuatanga Motuhake (special features).

- (1) Recognise and maintain the cultural significance of wetlands, lakes and other waterbodies, including the Waikato and Waipa awa (rivers), coastal areas of Whaingaroa (Raglan Harbour), Aotea, and Te Puaha o Waikato (Port Waikato).
- (2) Recognise the historic and contemporary relationships of Ngaa iwi o Tainui to Karioi, Taupiri, Hakarimata Range, Hunua and Pirongia maunga.

MV-P4 Recognition of Maaori values.

- (1) Recognise Maaori values, including the following:
 - (a) Kaitiakitanga;
 - (b) Manaakitanga;
 - (c) Tikanga; and,
 - (d) Mana whakahaere.
- (2) Recognise that Maaori values will vary across the district and that Maaori values additional to those in (1) above can be identified through engaging with mana whenua at a local level.

MV-P5 Subdivision, land use and Maaori values.

- (1) Manage the effects of subdivision and land use on Maaori values, in particular those arising from the following:
 - (a) Quarrying industry;
 - (b) Waste management facilities;
 - (c) Hazardous waste storage;
 - (d) Intensive farming;
 - (e) Earthworks within the vicinity of the Waikato River and other water bodies within the Waikato River Catchment;
 - (f) Subdivision;
 - (g) Building and structures in water body setbacks;
 - (h) Modification or clearance of indigenous biodiversity within Significant Natural Areas;
 - (i) Activities within identified landscape and natural character areas, on or within the vicinity of maunga and other landforms or sites of cultural significance; and
 - (j) Activities on the surface of waterbodies.
- (2) Manage the effects of subdivision and land use on Maaori values, including by:
 - (a) Providing for the opportunity for engagement with mana whenua prior to undertaking activities or applying for resource consent and addressing the outcomes of that engagement;
 - (b) Providing the opportunity for mana whenua to assess the effects on Maaori values such as through cultural impact/values assessments;
 - (c) Recognising and providing for customary uses of resources including hauanga kai;

Part 2: District-wide matters / Historical and cultural values / MV – Maaori values and Maatauranga Maaori

- (d) Recognising and providing for maatauranga Maaori, including as expressed through kaitiakitanga and tikanga;
- (e) Recognising that iwi, hapuu and whaanau are owners and kaitiaki of Maatauranga; and,
- (f) Recognising and providing for tangata whenua relationships with ancestral lands, water, sites, waahi tapu and other taonga to be maintained or strengthened.

Non-regulatory policies

MV-P6 Iwi and hapuu management plans.

That Council support the creation and review of Iwi and hapuu environmental management plans by Iwi and hapuu.

MV-P7 Partnership and relationship agreements.

- (1) That Council establishes formal partnership and relationship arrangements such as Mana Whakahono aa Rohe, joint management agreements or memoranda of understanding with iwi and hapuu.
- (2) That Council develops a work programme for the implementation of partnership agreements and memoranda of understanding.

MV-P8 Guidance on understanding Maaori concepts and values.

That Council work with Iwi and hapuu to develop guidance material that sits alongside the Plan and provides district plan users with a foundational understanding of Maaori concepts, tikanga, values and mana whenua of the district.

Rules

Land use – activities

MV-RI	(1) All discretionary and non-complying activities in Part 2 – District-wide matters and Part 3 – Area-specific matters sections of this Plan must address: <ul style="list-style-type: none">(a) The effects on values held by mana whenua and the appropriateness to mana whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document.
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Advice note: Council, Te Kaahui Maangai, Te Puni Kookiri and Iwi authorities, including Te Whakakitenga o Waikato, hold records and contacts of iwi and hapuu in the District.

TETW – Te Ture Whaimana – Vision and Strategy

Overview

- (1) The relationship of Waikato-Tainui with the Waikato River cannot be underestimated as it lies at the heart of their identity as well being a major influence on their spiritual, cultural, historic and physical wellbeing. To Waikato-Tainui, the Waikato River is their Tuupuna Awa, an ancestor.
- (2) The Waikato River Claim was filed with the Waitangi Tribunal by Sir Robert Mahuta on 16 March 1987 on behalf of Waikato-Tainui, the Tainui Trust Board and Ngaa Marae Toopu but was excluded from the 1995 Raupatu Land Settlement for future negotiation.
- (3) The 2009 Deed of Settlement between the Crown and Waikato-Tainui acknowledges the deterioration of the health of the Waikato River while the Crown had authority over the river. The Deed of Settlement has an overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations. This district plan aims to restore the river's health in conjunction with other agencies. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 gave effect to the 2009 Deed of Settlement in respect of the raupatu claims of Waikato-Tainui over the Waikato River.
- (4) Te Ture Whaimana o Te Awa o Waikato (Te Ture Whaimana) is the Vision and Strategy and is the primary direction-setting document for the Waikato River and activities within its catchment.
- (5) This District Plan reflects the new era of co-management between Waikato District Council and iwi. The Settlement Act requires that a district plan shall give effect to Te Ture Whaimana.
- (6) Te Ture Whaimana responds to four fundamental issues:
 - (a) The degradation of the Waikato River and the ability of Waikato River iwi to exercise kaitiakitanga or conduct their tikanga and kawa;
 - (b) The relationships and aspirations of communities with the Waikato River;
 - (c) The cumulative effects of physical intervention, land use and subsurface hydrological changes on the natural processes of the Waikato River;
 - (d) The time and commitment required to restore and protect the health and well-being of the Waikato River.
- (7) Section 13 of the Waikato River Act requires that district plans be reviewed and where necessary updated following an RMA Schedule 1 process no later than 12 months after the completion of a review of Vision and Strategy.

Definition of Waikato River and its catchment area

- (8) The body of water known as the Waikato River flowing continuously or intermittently from the Huka Falls to the mouth of the Waikato River shown as located within the areas marked "A" and "B" on SO plan 409144, and
- (9) All tributaries, streams and watercourses flowing into the part of the Waikato River, including the Waipaa River, described in paragraph (8), to the extent to which they are within the areas marked "A" and "B" on SO plan 409144, and

- (10) Lakes and wetlands within the areas marked "A" and "B" on SO plan 409144, and
- (11) The beds and banks of the water bodies described in paragraphs (8) to (10).
- (12) For the avoidance of doubt, this definition is an excerpt from the interpretation of 'Waikato River' in Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The area contained within SO plan 409144 is administered by a number of territorial authorities. Waikato District Council only administers that part of SO plan 409144 that is within the Waikato District.

Issue – Health and wellbeing of the Waikato River

- (13) Land use and development activities can adversely affect the ability of the Waikato River to sustainably support the economic, social, cultural and environmental aspirations of Waikato-Tainui and the community.

Objectives

TETW-O1 Achieving Te Ture Whaimana (Vision and Strategy for the Waikato River).

The health and well-being of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

Policies

TETW-PI Implementing Te Ture Whaimana (Vision and Strategy for the Waikato River).

- (1) To restore and protect the health and wellbeing of the Waikato River including by;
 - (a) Identifying and recognising the Waikato River as an Outstanding Natural Cultural Landscape;
 - (b) Acquiring appropriate public access to and along the Waikato River at time of subdivision;
 - (c) Protecting and restoring significant natural areas, riparian margins and wetlands within the catchment;
 - (d) Providing for conservation activities;
 - (e) Protecting waahi tapu, sites and areas of significance to Maaori;
 - (f) Recognising and providing for application of maatauranga Maaori; and
 - (g) Managing the effects of subdivision, use and development including those associated with:
 - (i) Building in river setbacks;
 - (ii) Intensive farming;
 - (iii) Earthworks and land disturbance; and
 - (iv) Subdivision.

10 JULY 2024

STATEMENT ON BEHALF OF TE RUUNANGA O NGAATI MAHUTA KI TE HAUAUURU

INTRODUCTION

1. Thank you for the opportunity to address you in relation to tranche 1 hearing topics on the Proposed Waitomo District Plan (the Plan).
2. My full name is Melaina Atawhai Huaki. The original submission prepared on behalf of Te Ruunanga o Ngaati Mahuta ki te hauaauru Trust (TRNMTH) was prepared by Nevada Te Rangiawatea Alanis Huaki-Foote. We are mokopuna of the tuupuna Hemopēti Tuaupiki nee Pouaka who is the original owner of the Te Mania Block in Tahaaroa.
3. I, Melaina, have a Masters degree in Indigenous Knowledge and Nevada has a Bachelor of Environmental Planning with approximately 7 years postgraduate planning experience at territorial authorities and central government, and as a planning consultant within the private sector.
4. While we have the qualifications and experience to present expert planning evidence and indigenous knowledge, we are not appearing here today in the capacity of expert witnesses. Our role here today is to provide a statement on behalf of TRNMTH as Mana whenua of Tahaaroa and the surrounding district endorsed and mandated by our three marae, Maketuu, Te Kooraha and Aaruka.
5. TRNMTH has sought relief in four (4) topics regarding the tranche 1 hearing. They are:
 - a. Earthworks
 - b. Hapori whānui (Provisions for community wellbeing, safety and amenity)
 - c. Te Maika Precinct, and
 - d. Māori purpose zone.
6. I do not intend to repeat our full submission however I instead intend to include:
 - a. a brief overview of TRNMTH and the marae in which it represents
 - b. comment on those parts of the section 42A reports that are relevant to our submission, this is limited as this is relevant to our submission and the tranche 1 hearing topics, and
 - c. our request to the Hearing Panel.

TE RUUNANGA O NGAATI MAHUTA KI TE HAUAUURU

7. TRNMTH represents a hapuu within Waikato iwi. As kaitiaki of Te Ahurei, where Tainui waka lays, our history stretches back centuries. TRNMTH has a unique and independent identity while honouring the connection to inland Waikato origins.
8. TRNMTH was incorporated as a Society under the Charitable Trusts Act 1957, on 31 May 2013. The Trust's primary purpose has been to preserve and support the ancestral lands and coastlines of Ngaati Mahuta ki te hauaauru, as well as to administer their interests, affairs, and ancestral assets. The Trust aims to benefit all descendants of the hapuu, now and in the future.
9. Our areas of interest stretch from Maketuu Marae situated at the southern end of Kaawhia Harbour, out to Te Waitere, down to Marokopa and back up along the west coast. Te Kooraha Marae is situated north-east of the Tahaaroa township beneath Oorangiwhao Maunga. Aaruka Marae is situated in the township of Tahaaroa beneath Mangatangi Maunga.



Figure 1: Indication of the extent of areas of interest to TRNMTH

10. We understand that in the review and preparation of the Plan, a working group made up of mandated Regional Management Committee representatives was established. It must be noted that TRNMTH are Mana whenua of our areas of interest.
11. To this extent, we note that an environmental planning document is being developed on behalf of TRNMTH and our three marae. Within the document, TRNMTH intends to confirm that it is representative of an Iwi planning document. The intent is for this planning document to be lodged with relevant territorial authorities, including Waitomo District Council, as a relevant Iwi planning document within the lifetime of this Plan. Accordingly, we welcome any future collaboration to ensure that the Plan incorporates our aspirations into its policy provisions and rules.

EARTHWORKS, HAPORI WHĀNAUI, TE MAIKA PRECINCT

12. In relation to the Earthworks, Hapori Whānui and Te Maika precinct chapters, we are supportive of the recommendations made within the s42A reports in regard to accepting the relief sought in our submission.

MĀORI PURPOSE ZONE

13. In regard to the Māori purpose zone, Appendix 3 of the s42A report prepared by Ms Wratt, states that it is recommended that the relief sought in submission point 35.22, to retain that the intent of the

zone in providing for the development of Māori owned land and supporting Mana Whenua aspirations, be accepted. We are supportive of the recommendation to accept the relief sought in our submission, as outlined in Appendix 3.

14. However, paragraph 40 of the s42A report, states that the relief sought in submission point 35.22 is recommended to be rejected. We are of the view that perhaps paragraph 40 refers to submission points 35.17-35.20 in which the relief sought includes a rule framework approach for Māori owned land, as adopted by Waikato District Council, and the deletion of the provisions that restrict the number of papakāinga residential units able to be developed on Māori owned land.
15. We remain opposed to the provisions that restrict the number of papakāinga residential units able to be developed on Māori owned land and are supportive of a rule framework approach.
16. Although the mapping/zoning of the Māori purpose zone may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Plan should recognise Māori freehold land through a rule framework and not zoning. A zoning approach does not provide for development at the same level as general users. A rule framework approach would be more beneficial for Mana whenua and the development of Māori owned land as it ensures that Mana whenua can utilise land resources sustainably and to contribute to restoring customary activities on Māori whenua, as intended by the purpose of the zone, which would already be limited due issues such as reverse sensitivity on existing lawfully established activities and removes additional limitations already experienced by Māori land owners. It is important that provisions within the Plan for Māori owned land are more enabling.

CONCLUSION

17. We seek that the relief sought by TRNMTH be accepted and those changes to the Plan as sought within our submission and any further changes required to address our concerns.
18. We welcome any future collaboration to ensure that the Plan incorporates our aspirations, as Mana whenua of our areas of interest, into its policy provisions and rules.

Annexure B: Decisions

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 17. Energy, Chapter 21. Contaminated
Land, Chapter 22. Hazardous Substances, Chapter
31. Amateur Radio, Chapter 34. Financial
Contributions, Chapter 53. Amenity Precinct,
Chapter 54. Te Maika Precinct, Schedule 10.
Areas of Outstanding Natural Character, Schedule
11. Areas of High / Very High Natural Character,
APP5 Structure Plan Requirements, Schedule 13.
Coastal Environment Overlay and Tranche 2
Miscellaneous

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 21 – Contaminated Land, Chapter 22 – Hazardous Substances Chapter 31 – Amateur Radio, Chapter 34 – Financial Contributions, Chapter 53 – Amenity Precinct, Chapter 54 – Te Maika Precinct, Schedule 10 – Areas of Outstanding Natural Character, Schedule 11 – Areas of High / Very High Natural Character, Schedule 13 coastal environment overlay and the various submission points that have been considered in the Tranche 2 – Miscellaneous Section 42A Report. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9).
2. These Chapters seeks to manage and provide for a range of activities, which are set out in section 2.2 of the Section 42A Report on these various Chapters.

2. Hearing arrangements

3. The first tranche hearing was held on 16 and 17 July 2024 and the second Tranche hearing was held on 27 and 28 November 2024 at **Council's offices at 15 Queen Street, Te Kuiti**. Evidence was presented at both tranches either online or in person. All of the relevant information pertaining to this hearing (i.e., section 42A **reports, legal submissions and evidence**) is contained on **Council's website**.
4. The following parties submitted on the matters considered in both Section 42A Reports.

List of submitters and further submitters addressed in this report

Chapter 17 Energy

Submission No	Submitter
2	NZ Helicopter Association
3	Heritage New Zealand Pouhere Taonga
31	Transpower
33	King Country Energy
42	Ventus Energy
46	Federated Farmers of New Zealand
47	Royal Forest & Bird Protection Society of New Zealand
53	Director General of Conservation
FS03	Director General of Conservation
FS05	Federated Farmers of New Zealand
FS10	King Country Energy
FS13	NZ Agricultural Aviation Association
FS16	New Zealand Historic Places Trust
FS23	Te Nehenehenui

FS24	The Lines Company
FS25	Ventus Energy

Chapter 21 Contaminated land

Submitter No	Submitter Name
43.13, 43.14, 43.15	Graymont (NZ) Limited
46.28	Federated Farmers
56.12	The Fuel Companies

Chapter 22 Hazardous substances

Submitter No	Submitter Name
43.16-43.20	Graymont (NZ) Limited
46.29	Federated Farmers
56.01	The Fuel Companies
16.17	Fire and Emergency New Zealand
27.38	Horticulture New Zealand
31.61	Transpower New Zealand Limited

Chapter 31 Amateur Radio

Nil

Chapter 34 Financial Contributions

Submitter No	Submitter Name
17.79-17.83	Waka Kotahi NZ Transport Agency

Chapter 53 Amenity Precinct

Submitter No	Submitter Name
17.159	Waka Kotahi NZ Transport Agency

Chapter 54 Te Maika Precinct

Submitter No	Submitter Name
35.23	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru
16.84-16.85	Fire and Emergency New Zealand
24.75-24.76	Ministry of Education
3.158	Heritage New Zealand Pouhere Taonga
FS20.23	Sheryl Paekau

Schedule 10 – Areas of Outstanding Natural Character

Schedule 11 – Areas of High / Very High Natural Character

Schedule 13 - Coastal Environment Overlay

Submitter No	Submitter Name
53.71	Department of Conservation

APP5 Structure Plan Requirements

Submission no	Submitter
10	Waikato Regional Council
17	Waka Kotahi
47	Royal Forest and Bird Protection Society of New Zealand
FS23	Te Nehenehenui

Miscellaneous Report – Submitters

Submission No	Submitter
03	Heritage New Zealand Pouhere Taonga (HNZPT)
04	New Zealand Agricultural Aviation Association (NZAAA)
10	Waikato Regional Council (WRC)
17	Waka Kotahi
18	Auckland Waikato Fish and Game Council (AWFG)
07	Omya New Zealand Limited (Omya)
35	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru
16	Fire and Emergency New Zealand (FENZ)
13	Sheryl Paekau
12	Heli A1 Limited
38	Te Tokanganui- a-noho Whare (TTRMC)
23	Balance Agri-Nutrients
56	The Fuel Companies
45	Marama Henare-Waho
46	Federated Farmers
51	KiwiRail (KRH)
31	Transpower
50	Te Nehenehenui
39	Firstgas
36	Kāinga Ora

Submission No	Submitter
34	Ayush Mudaliar
24	Ministry of Education (MoE)
29	Aggregate and Quarry Association (AQA)
48	S Machra
30	New Zealand Forest Managers (NZFM)
52	Grant Lennox
54	Apiculture New Zealand
19	PF Olsen
55	Kura Stratford
47	Forest and Bird
57	Tom Anderson
58	James Findlay
53	Department of Conservation (DOC)
21	New Zealand Defence Force (NZDF)
14	New Zealand Pork Industry Board (NZPIB)
27	Horticulture New Zealand (Hort NZ)
43	Graymont (NZ) Limited
21	New Zealand Defence Force
FS07	Grant Lennox
FS10	King Country Energy
FS13	New Zealand Agricultural Aviation Association (NZAAA)
FS15	New Zealand Helicopter Association
FS25	Ventus Energy
FS03	Department of Conservation (DOC)
FS23	Te Nehenehenui
FS30	Transpower
FS24	The Lines Company
FS08	Graymont (NZ) Limited
FS18	Omya
FS20	Sheryl Paekau

FS09	Kainga Ora
FS12	Manulife Forest Management (NZ) Ltd
FS19	PF Olsen
FS05	Federated Farmers

5. The Panel did not hear any evidence at the hearing in relation to Chapter 17. Energy, Chapter 21. Contaminated Land, Chapter 22. Hazardous Substances, Chapter 31. Amateur Radio, Chapter 34. Financial Contributions, Chapter 53. Amenity Precinct, Chapter 54. Te Maika Precinct, Schedule 10. Areas of Outstanding Natural Character, Schedule 11. Areas of High / Very High Natural Character, APP5 Structure Plan Requirements, Schedule 13. Coastal Environment Overlay on 16 and 17 July 2024, or the matters that were raised in the Miscellaneous Section 42A report that was considered in the second tranche hearing on 27 and 28 November 2024
6. Also, no evidence was submitted to the Panel that opposed the recommendations in the Section 42A Report that assessed these Chapters.

3. Submitter evidence

7. No evidence was presented to the panel on any of the matters contained within the relevant Section 42A Reports.

4. Panel decision

8. Having considered the analysis in the submissions and evidence presented, the Panel acknowledged **the general support for the PDP's amended provisions** as set out in the relevant Section 42A Reports for Tranche 1 and Tranche 2.
9. The Panel has elected to adopt the recommendations in the Section 42A Report and the Section 42A Addendum Report on these chapters.

5. Conclusion

10. The Panel accepts the recommendations in the section 42A reports and where noted above, 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.
11. Overall, the Panel is satisfied that the provisions of these Chapters will provide a suitable framework for managing various activities and any actual or potential adverse effects.
12. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair

Dated: 19 June 2025

6. Appendix 1 – Submitter table

ENERGY

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept/Accept in Part/Reject
02.10	NZHA	Support	17. Energy	ENGY-O4	Retain the objective as notified.	Accept
FS13.10	New Zealand Agricultural Aviation Association	Support			Retain the objective as sought	Accept
02.11	NZHA	Support	17. Energy	ENGY-P1	Retain the policy as notified.	Accept in part
FS13.11	New Zealand Agricultural Aviation Association	Support			Retain the policy as sought	Accept in part
02.12	NZHA	Support	17. Energy	ENGY-P5	Retain the policy as notified.	Accept in part
FS13.12	New Zealand Agricultural Aviation Association	Support			Retain the policy as sought	Accept in part
03.06	NZHPT	Support in Part	17. Energy	ENGY-P1	That ENGY-P1 is retained and amended as follows; "Enable the ongoing operation, maintenance, repair and minor upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment, <u>including on the values of overlays and scheduled sites and features</u> , are avoided, remedied or mitigated ."	Reject
FS10.01	King Country Energy	Oppose			Disallow	Accept
03.07	NZHPT	Support in Part	17. Energy	ENGY-P2	That ENGY-P2 is retained and amended as follows; "In all zones and precincts, recognise the benefits of small-scale electricity generation in a form that is commensurate with the function, nature and scale of	Reject

					the anticipated activities, while <u>protecting and managing the values of overlays and scheduled sites and features,</u> "	
FS10.02	King Country Energy	Oppose			Disallow	Accept
03.08	NZHPT	Support	17. Energy	ENG-Y-P4	That ENG-Y-P4 is retained.	Accept in part
03.09	NZHPT	Support in part	17. Energy	ENG-Y-P5	However, they must be avoided within: 1. An identified outstanding natural landscape or an outstanding natural feature; or 2. An area of outstanding natural character or high/very high natural character; or 3. The site or surroundings of a heritage building or structure; or 4. A significant archaeological site <u>and its surroundings</u> ; or 5. A site or area of significance to Māori <u>and its surroundings</u> ; or A significant natural area."	Reject
FS10.03	King Country Energy	Oppose			Disallow	Accept
03.10	NZHPT	Support	17. Energy	ENG-Y-P6	That ENG-Y-P6 is retained.	Accept
03.11	NZHPT	Support in part	17. Energy	Rules Note: Where Heritage Buildings and Structures are referred to it means the site or surroundings (of any building or structure listed in SCHED1)	That the note "Where Heritage Buildings and Structures are referred to it means the site or surroundings (of any building or structure listed in SCHED1)", is amended to more clearly relate to the proposed rule framework, which relates to the scheduled buildings and the sites and surroundings.	Reject
03.12	NZHPT	Support	17. Energy	ENG-Y-R4	That this rule, activity status for solar panels on a scheduled building or structure is retained.	Accept

03.13	NZHPT	Support	17. Energy	ENG-Y-R5	That the restricted discretionary activity ENG-Y-R5 in relation to Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites and the associated matters over which discretion are restricted is retained.	Accept
03.14	NZHPT	Support	17. Energy	ENG-Y-R6	That the restricted discretionary activity ENG-Y-R6 in relation to Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites and the associated matters over which discretion are restricted is retained.	Accept
03.15	NZHPT	Support in part	17. Energy	ENG-Y-R7	That ENG-Y-R7 is retained and amended such that permitted activities relating to heritage structures and buildings and their sites and surroundings are assessed as a restricted discretionary activity.	Reject
03.16	NZHPT	Support	17. Energy	ENG-Y-R8	That the discretionary activity status of "Mini hydro generation with an output of more than 5kW and up to 20kW of electricity per site" locating within or on: "Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character" is retained.	Accept
03.17	NZHPT	Support	17. Energy	ENG-Y-R9	That the discretionary activity status of "One wind turbine with a rated capacity of up to and including 5kW per site, except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding" locating within or on: "Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character" is retained.	Accept
FS23.03	Te Nehenehenui	Oppose			TNN recommends that where there is a reference to sites and areas of significance to Māori, this part is separated or removed and/ or amended to become part of the non-complying activity status.	Reject
03.18	NZHPT	Support	17. Energy	ENG-Y-R10	HNZPT seeks that the non-complying activity status of ENG-Y-R10, in relation to the location of "Renewable energy exploration activities", within "Outstanding	Reject

					natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	
03.19	NZHPT	Support	17. Energy	ENGY-R11	HNZPT seeks that the non-complying activity status of ENGY-R11, in relation to the location of "New Renewable electricity generation activities including Community scale renewable energy activities not provided for elsewhere in Table 1" within "Outstanding natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.20	NZHPT	Support	17. Energy	ENGY-R12	HNZPT seeks that the non-complying activity status of ENGY-R12 in relation to the "Biogas produced by anaerobic fermentation of waste" locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.21	NZHPT	Support	17. Energy	ENGY-R13	HNZPT seeks that the non-complying activity status of ENGY-R13 in relation to the "Co-generation plants and waste to energy plants " locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.22	NZHPT	Support	17. Energy	ENGY-R14	HNZPT seeks that the non-complying activity status of ENGY-R14 in relation to the " Coal Fired Electricity generation and Energy generated from non-renewable sources not listed in Table 1 " locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.23	NZHPT	Support	17. Energy	ENGY-R18	That ENGY-R18.3-Discretionary activity is retained.	Accept

03.24	NZHPT	Oppose	17. Energy	ENGY-R19	HNZPT cannot support this permitted activity approach and seeks that such an activity is a restricted discretionary activity to better enable the management of effects on scheduled sites or features or the setting and surrounds.	Accept in part
FS10.04	King Country Energy	Oppose			Disallow	Accept in part
03.25	HNZPT	Oppose	17. Energy	ENGY-R20	HNZPT cannot support this permitted activity approach and seeks that such an activity is a restricted discretionary activity to better enable the management of effects on scheduled sites or features or the setting and surrounds.	Accept in part
FS05.06	Federated Farmers	Oppose			Decline the relief sought	Accept in part
FS10.05	King Country Energy	Oppose			Disallow	Accept in part
03.26	NZHPT	Oppose in part	17. Energy	Note	That the note at the end of the rules section is relocated to the front of the chapter under the heading rules and clarity provided regarding the rule's framework for energy activities on and around heritage buildings and structures.	Reject
31.20	Transpower	Amend	17. Energy, Infrastructure and Transport	Energy, Infrastructure and Transport	Amend Chapter 17 Energy, Infrastructure and Transport to appropriately recognise and provide for renewable generation activities in support of Strategic Direction SD-016. And Any consequential amendments.	Accept in part
FS10.07	King Country Energy	Support			Allow	Accept in part
FS24.09	The Lines Company	Support			Allow	Accept in part
33.01	King Country Energy (KCE)	Support with	9. Definitions	Community scale	Amend the definition for 'community scale renewable electricity activities' as follows:	Accept

		amendment		renewable electricity activities	community scale renewable electricity <u>generation activities</u> – means a renewable electricity <u>generation activity</u> intended to supply...	
33.04	KCE	Support	9. Definitions	Renewable energy	Retain definition for 'renewable energy' as notified.	Accept
33.05	KCE	Support with amendment	9. Definitions	Renewable energy exploration activities	Amend the definition for 'renewable energy exploration activities ' as follows: means activities to monitor and measure solar, wind, hydroelectricity or geothermal <u>or other</u> energy sources for potential renewable electricity generation activities.	Accept
33.06	KCE	Support with amendment	9. Definitions	Renewable electricity generation activities	Amend the definition for 'renewable electricity generation activities ' definition as follows: means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community scale <u>distributed renewable electricity-generation</u> activities and the system of electricity conveyance <u>required</u> to <u>convey electricity to</u> the distribution network, and/or the national grid and electricity storage technologies associated with renewable electricity.	Accept in part
33.07	KCE	Support with amendment	17. Energy	ENGY - Overview	Amend the Overview of the Energy chapter to provide for large scale energy activities within identified outstanding natural features and areas of outstanding natural character, to be considered as a discretionary activity.	Reject
FS16.12	NZHPT	Oppose			That the submission point is declined	Accept
33.08	KCE	Support	17. Energy	ENGY-O1	Retain ENGY-O1 as notified.	Accept in part
33.09	KCE	Support	17. Energy	ENGY-O2	Retain ENGY-O2 as notified.	Accept in part
33.10	KCE	Support	17. Energy	ENGY-O3	Retain ENGY-O3 as notified.	Accept
33.11	KCE	Support	17. Energy	ENGY-O4	Retain ENGY-O4 as notified.	Accept
33.12	KCE	Support	17. Energy	ENGY-P1	Amend ENGY-P1 as follows:	Accept

		with amendment			Enable the ongoing operation, maintenance, repair and minor upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment are avoided, remedied or mitigated.	
FS23.122	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.13	KCE	Support	17. Energy	ENGY-P2	Retain ENGY-P2 as notified.	Accept
33.14	KCE	Support	17. Energy	ENGY-P3	Retain ENGY-P3 as notified.	Accept in part
33.15	KCE	Support with amendment	17. Energy	ENGY-P4	Amend ENGY-P4 as follows: ... matters to considered include: 1. The benefits of the activity, recognising that <u>the national, regional or local</u> benefits may offset <u>adverse effects on anticipated changes in amenity</u> ; and ... 7. <u>The contribution of the activity to District, Regional and National needs and security of supply.</u>	Accept
33.16	KCE	Oppose	17. Energy	ENGY-P5	Amend ENGY-P5 to read: Allow activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however they must be avoided within <u>the following areas, unless any adverse effects associated with them are no more than minor in scale</u> : ...	Accept in part
FS16.11	NZHPT	Oppose			That the submission point is declined	Accept in part
FS23.123	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part

33.17	KCE	Oppose	17. Energy	ENGY-P6	Delete ENGY-P6.	Reject
FS23.124	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.18	KCE	Support with amendment	17. Energy	ENGY-P7	Amend ENGY-P7 as follows: Manage new development and land use activities near existing renewable electricity generation activities to <u>avoid</u> minimise -reverse sensitivity effects.	Accept in part
33.19	KCE	Support with amendment	17. Energy	ENGY-P8	Amend ENGY-P8 as follows: <u>Avoid development that does not</u> must -comply with the flightpath height restrictions for the Te Kūiti Aerodrome.	Accept
33.20	KCE	Support with amendment	17. Energy	ENGY-P9	Retain ENGY-P9, while considering its incorporation into another policy or rule.	Accept in part
33.21	KCE	Support	17. Energy	ENGY-P10	Retain ENGY-P10 as notified.	Accept
33.22	KCE	Oppose	17. Energy	ENGY-P12.4	Delete ENGY-P12.4.	Accept
FS23.125	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.23	KCE	Support with amendment	17. Energy	ENGY-P13	Amend ENGY-P13 as follows: Within the rural production zone where the the -removal...	Accept in part
33.24	KCE	Support	17.. Energy	ENGY-P14	Retain ENGY-P14 as notified.	Accept in part
33.25	KCE	Support with amendment	17 Energy	ENGY-P15	Amend ENGY-P15 as follows: Ensure the scale and location of any expansion of an existing hydro <u>electricity</u> generation <u>activity</u> <u>facility</u> located within the rural production zone: does not	Accept in part

					adversely affect local character or amenity by: ... 3.Ensuring that industrial buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.	
FS23.126	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.26	KCE	Support with amendment	17. Energy	ENGY-R1	Amend ENGY-R1 as follows: The operation, maintenance, repair, replacement, minor upgrade, demolition or removal of existing buildings and structures of any existing <u>renewable electricity</u> energy generation activity.	Accept
FS23.127	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.27	KCE	Support with amendment	17. Energy	ENGY-R2	Amend ENGY-R2 as follows: The operation, maintenance, repair, replacement, and minor upgrade of an existing hydro-electricity generation activity <u>infrastructure</u> identified on the Planning Maps.....	Accept
FS23.128	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.28	KCE	Support	17. Energy	ENGY-R3	Retain ENGY-R3 as notified.	Accept
33.29	KCE	Support	17. Energy	ENGY-R4	Retain ENGY-R4 as notified.	Accept
33.30	KCE	Support with amendment	17. Energy	ENGY-R5	Amend ENGY-R5 and ENGY-R6 to provide one rule for freestanding solar panels.	Reject

FS16.13	NZHPT	Oppose			That the submission point is declined	Accept
33.31	KCE	Support with amendment	17. Energy	ENGY-R7	Amend ENGY-R7 and R8 to recast and simplify to provide one rule for small scale and community scale hydro-electricity generation and the development, operation, maintenance and upgrading of the same.	Reject
FS23.129	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.32	KCE	Support with amendment	17. Energy	ENGY-R9	Amend ENGY-R9 as follows: DIS: Heritage buildings and structures, sites and Areas of significance to Māori , significant archaeological sites, outstanding natural character, <u>and Outstanding Natural Features</u> PR: Outstanding natural features ...	Accept in part
FS03.67	Director-General of Conservation	Oppose			Disallow	Accept in part
FS23.130	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.33	KCE	Support with amendment	17. Energy	ENGY-R10	Amend ENGY-R10 to provide for renewable energy exploration activities to be permitted in all zones, and where compliance is not achieved, a restricted discretionary or discretionary activity status is to be applied.	Accept in part
FS23.131	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.34	KCE	Support with	17. Energy	ENGY-R11	Amend ENGY-R11 as follows:	Reject

		amendment			<p>Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.</p> <p>DIS_NC: Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites.</p> <p>DIS_PR: Outstanding natural features, outstanding natural character.</p> <p>...</p> <p>And</p> <p>Amend the rule framework to provide two rules for each type of renewable electricity generation activity within the Waitomo District, as per policies E and F of the NPS-REG depending on whether the activity fits within or exceeds the definition of small and community scale.</p>	
FS03.68	Director-General of Conservation	Oppose			Disallow	Accept
FS23.132	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.35	KCE	Support	17. Energy	ENGY-R18	Retain ENGY-R18 as notified.	Accept in part
33.36	KCE	Support with amendment	17. Energy	ENGY-R19	Amend ENGY-R19 and ENGY-R20 to recast and simplify to provide one rule for small and community scale wind energy generation and the development, operation, maintenance and upgrading of the same.	Reject
FS23.133	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this	Accept

					submission that are not aligned to our Taiao and cultural values, or those we have noted support for	
33.37	KCE	Support with amendment	17. Energy	ENGY-R23	Amend ENGY-R23(11) as follows: ...11. No individual sign may exceed 2 m ² , with the total area of signs per zone-site being no more than 8 m ² , <u>however, signage for the purpose of health and safety is exempt from this provision.</u>	Accept
42.01	Ventus Energy (VE)	Support with amendment	17. Energy	Entire chapter	Retain the ENERGY chapter with amendments.	Accept
FS23.155	Te Nehenehenui	Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points.	Accept
42.02	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-O1	Retain ENGY-O1. And Amend ENGY-O1 as follows: 1. Enabling renewable electricity generation activities where appropriate ; and	Accept
FS23.156	Te Nehenehenui	Oppose / Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review. If submission points do align to enhance the protection and maintenance of its people and all taonga within the	Accept in part

					taiao and the TNN area of interest, TNN is in support of these points	
42.03	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-O2	Retain ENGY-O2. And Amend ENGY-O2 as follows: 1. Maintaining <u>and/or</u> increasing the use and supply of renewable electricity 3. Enabling the appropriate development of new renewable electricity generation activities; and ...	Accept
42.04	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-P1	Retain ENGY-P1. And Amend ENGY-P1 as follows: Enable the ongoing operation, maintenance, repair, <u>replacement</u> and minor upgrade ...	Reject
FS10.08	King Country Energy	Support			Allow	Reject
FS16.01	NZHPT	Oppose			That the submission point is declined	Accept
FS23.157	Te Nehenehenui	Oppose / Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review. If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points	Accept in part
42.05	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-P4	Retain ENGY-P4. And Amend ENGY-P4 as follows:	Reject

					<p>...</p> <p>3. the scale, intensity duration or frequency of the activity's effects including at the time of construction; and</p> <p>2. Adverse amenity, visual, traffic generation, safety, light overspill, shadow, earthworks, glare and noise effects; and</p> <p>3. Adequate separation distances from existing and consented sensitive activities to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised; and</p> <p>4. Effects on scheduled sites, features or overlays.</p> <p>5. In doing so...</p>	
FS16.02	NZHPT	Oppose			That the submission point is declined	Accept
FS23.158	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.06	VE	Support with amendment	17. Energy	ENGY-P5	<p>Amend ENGY-P5 as follows:</p> <p>Allow activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however they <u>effects</u> must be avoided, <u>remedied or mitigated</u> within: ...</p>	Accept in part

FS10.09	King Country Energy	Support			Allow	Accept in part
FS16.03	NZHPT	Oppose			That the submission point is declined	Accept in part
FS23.159	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.07	VE	Support with amendment	17. Energy	ENGY-P6	<p>Retain ENGY-P6. And</p> <p>Amend ENGY-P6 as follows:</p> <p>Recognise that increasing levels of renewable electricity generation activities may alter existing visual amenity values, but the level of adverse visual effects may not be appropriate in some overlays, scheduled sites and features.</p>	Reject
FS03.74	Director-General of Conservation	Oppose			Disallow	Accept
FS10.10	King Country Energy	Support			Allow	Reject
FS16.04	NZHPT	Oppose			That the submission point is declined	Accept
FS23.160	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p>	Accept in part

					<p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	
42.08	VE	Support	17. Energy	ENGY-P7	Retain ENGY-P7 as notified.	Accept in part
FS23.161	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.09	VE	Support with amendment	17. Energy	ENGY-P13	<p>Retain ENGY-P13.</p> <p>And</p> <p>Amend ENGY-P13 as follows:</p> <p>Within the rural production zone where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for regionally or <u>nationally</u> significant <u>energy</u> infrastructure, adverse effects must be remedied in the first instance, or mitigated or offset if this is not possible:</p>	Reject

FS10.11	King Country Energy	Support			Allow	Reject
FS23.162	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.10	VE	Support	17. Energy	ENGY-R1	Retain ENGY-R1 as notified.	Accept in part
42.11	VE	Support	17. Energy	ENGY-R10 General Rural Zone – Permitted	Retain ENGY-R10 – Permitted Activity Status for General Rural Zone as notified.	Accept
FS16.05	NZHPT	Oppose			That the submission point is declined	Reject
FS23.163	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these</p>	Accept in part

					points	
42.12	VE	Oppose	17. Energy	ENGY-R10 Non-complying status in the ONL, ONF, and ONC,	Amend ENGY-R10 from Non-Complying to Discretionary in the ONL, ONF, and ONC.	Accept in part
FS03.75	Director-General of Conservation	Oppose			Disallow	Accept in part
FS23.164	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.13	VE	Support	17. Energy	ENGY-R11 Table 1 – Discretionary	Retain NGY-R11 Table 1 – Discretionary status for General rural zone and landscapes of high amenity value and significant natural areas (local significance) as notified.	Accept
FS16.06	NZHPT	Oppose			That the submission point is declined	Reject
FS23.165	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Accept in part

					If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points	
42.14	VE	Oppose with amendment	17. Energy	ENGY-R11 Non complying activity	Amend ENGY-R11 as the non-complying activity status is opposed for Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites , but there is also a prohibited activity status for Outstanding natural features, outstanding natural character.	Reject
FS03.76	Director-General of Conservation	Oppose			Disallow	Accept
FS23.166	Te Nehenehenui	Oppose			Oppose where the activity impacts sites and areas of significance to Māori and significant archaeological sites , iwi, hapu and mana whenua cultural values must be provided for	Accept
46.17	FF	Support	17. Energy	ENGY-P7	Retain ENGY-P7 as notified.	Accept in part
46.18	FF	Support with amendment	17. Energy	ENGY-P10	Amend ENGY-P10 to require a functional need for co-generation and waste to energy conversion to be in the rural production and general rural zones. And Any consequential amendments required as a result of the relief sought.	Reject
47.13	F&B	Support with amendment	17. Energy	Overview	Amend the Overview of the Energy chapter as follows: Oil and petrol <u>currently</u> fuel <u>most of our</u> vehicles... And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.14	F&B	Support	17. Energy	ENGY-O1	Retain ENGY-O1 as notified.	Accept in part
47.15	F&B	Support	17. Energy	ENGY-O2	Retain ENGY-O2 as notified.	Accept in part

47.16	F&B	Support with amendment	17. Energy	ENGY-O4	<p>Amend ENGY-O4 as follows:</p> <p>...</p> <p>1. Enabling the growth and expansion of such activities to meet the future demand of the district <u>where appropriate</u>; and</p> <p>2. Managing adverse environmental effects on the receiving environment by internalising effects to the property boundary, or through avoid, remedy, or mitigation measures <u>within the property boundary</u> as far as practicable.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
47.17	F&B	Support with amendment	17. Energy	ENGY-P1	<p>Amend ENGY-P1:</p> <ul style="list-style-type: none"> so that significant adverse effects are to be avoided and other adverse effects avoided, remedied or mitigated, and to ensure the policy does not apply within the coastal environment. <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS03.101	Director-General of Conservation	Support			Allow	Accept
47.18	F&B	Support with amendment	17. Energy	ENGY-P2	<p>Amend the wording of ENGY-P2 to "protect" the values of overlays and scheduled sites and features.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject

FS10.24	King Country Energy	Oppose			Disallow	Accept
FS16.08	NZHPT	Support			That the submission point be allowed	Reject
FS25.02	Ventus Energy	Oppose			Disallow	Accept
47.19	F&B	Support with amendment	17. Energy	ENGY-P3	Amend ENGY-P3 to read: ... recognise the social, <u>environmental</u> and economic benefit to the community from sharing <u>renewable</u> electricity that has been generated locally. And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.20	F&B	Support with amendment	17. Energy	ENGY-P4	Add a new matter of discretion to ENGY-P4 as follows: <u>7. Effects on indigenous species including highly mobile species</u> Or <u>7. Effects on indigenous biodiversity</u> And Any consequential changes or alternative relief to achieve the relief sought.	Accept
FS03.102	Director-General of Conservation	Support			Allow	Accept
FS25.03	Ventus Energy	Oppose			Disallow	Reject
47.21	F&B	Support with amendment	17. Energy	ENGY-P5	Amend ENGY-P5 as follows: Allow <u>Provide for</u> activities And Add a new clause to ENGY-P5 as follows: <u>7. Areas of significant habitat of highly mobile species</u>	Accept in part

					<p><u>such as bats and seabirds.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	
FS03.103	Director-General of Conservation	Support			Allow	Accept in part
FS10.25	King Country Energy	Oppose			Disallow	Accept in part
FS25.04	Ventus Energy	Oppose			Disallow	Accept in part
47.22	F&B	Oppose	17. Energy	ENGY-P10	<p>Amend ENGY-P10 as follows:</p> <p>For any co-generation or waste-to-energy conversion:</p> <p>1. Acknowledge the benefits of the efficient use and disposal of waste; and</p> <p>2. Manage more than minor adverse environmental effects created by this activity; and</p> <p>And</p> <p>Add a new clause to ENGY-P10 that states that significant adverse effects on the environment are to be avoided and other adverse effects avoided, remedied or mitigated.</p> <p>And</p> <p>Add a new clause to ENGY-P10 to ensure that within the coastal environment, effects are managed in accordance with the coastal chapter and biodiversity provisions in the coastal environment.</p> <p>And</p> <p>Add a definition for “co-generation”</p> <p>And</p>	Reject

					Any consequential changes or alternative relief to achieve the relief sought.	
47.23	F&B	Support with amendment	17. Energy	ENGY-P11	<p>Amend ENGY-P11 as follows:</p> <p>Allow—Provide for facilities which produce biogas by anaerobic fermentation of waste, organic materials, <u>where this is the most environmentally appropriate use of such material, ensuring both the benefits and any effects, including the potential for reverse sensitivity effects, are taken into account. Avoid locating these facilities in areas of the district where a non-complying activity status is signalled in the rules.</u></p> <p>And</p> <p>Add a new definition of “organic materials” to capture those generally used in produce of biogas by anaerobic fermentation process. And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Accept in part
47.24	F&B	Support	17. Energy	ENGY-P12	Retain ENGY-P12 as notified.	Accept in part
47.25	F&B	Oppose	17. Energy	ENGY-P13	<p>Delete ENGY-P13.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Accept
FS10.26	King Country Energy	Oppose			Disallow	Reject
FS25.05	Ventus Energy	Oppose			Disallow	Reject
47.26	F&B	Oppose with amendment	17. Energy	ENGY-P14	<p>Amend ENGY-P14 as follows:</p> <p>Enable—Provide for lawfully established existing hydro-electricity generation and associated activities located</p>	Accept

					<p>within the rural production zone...</p> <p>And</p> <p>Make a consequential change to ENGY-P15 to include "lawfully stablshed" before "existing".</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	
FS10.27	King Country Energy	Oppose			Disallow	Reject
47.27	F&B	Support with amendment	17. Energy	Rules Generally	Retain the statement in the Energy chapter that provisions in Part 2 district wide chapters apply.	accept
FS10.28	King Country Energy	Oppose			Disallow	Reject
FS25.06	Ventus Energy	Oppose			Disallow	Reject
47.28	F&B	Support with amendment	17. Energy	Rules Generally	Amend to clarify that all rules in the Energy chapter for vegetation clearance must comply with ECO rules.	Reject
FS03.104	Director-General of Conservation	Support			Allow	Reject
FS10.29	King Country Energy	Oppose			Disallow	Accept
FS25.07	Ventus Energy	Oppose			Disallow	Accept
47.29	F&B	Support with amendment	17. Energy	Rules Generally	<p>Add a condition or standard to all permitted activities in the Energy chapter to restrict the removal of individual trees, exotic tree shelterbelts and stands of trees that may provide habitat to NZ bats.</p> <p>And</p> <p>Add a matter of control/discretion in the Energy chapter rules to include effects on the habitats of NZ bats.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve</p>	Reject

					the relief sought.	
FS10.30	King Country Energy	Oppose			Disallow	Accept
FS25.08	Ventus Energy	Oppose			Disallow	Accept
47.30	F&B	Support with amendment	17. Energy	Rules Generally	Delete the specific limit on vegetation clearance in ENGY -R23 and refer to compliance with the ECO rules including clearance limits sought in this submission. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS10.31	King Country Energy	Oppose			Disallow	Accept
FS25.09	Ventus Energy	Oppose			Disallow	Accept
47.31	F&B	Support with amendment	17. Energy	Rules Generally	Include other Amendments as needed in the Energy chapter to protect the habitats of indigenous fauna when considering providing for ENGY activities. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS10.32	King Country Energy	Oppose			Disallow	Accept
FS25.10	Ventus Energy	Oppose			Disallow	Accept
47.32	F&B	Oppose with amendment	17. Energy	ENGY-R9	Amend ENGY-R9 as follows: Where: ... <u>2A. the activity is not undertaken in an area known to be used by seabirds."</u> Clarify the provisions for non-compliance and include that where condition 2A is not met the activity is a discretionary activity. And	Reject

					Any consequential changes or alternative relief to achieve the relief sought.	
47.33	F&B	Oppose with amendment	17. Energy	ENGY-R14	Amend ENGY-R14 so that provision is made to consider consenting of lawfully established activities as NC activities, but that new Coal Fired Electricity Generation and energy generated from non-renewable sources not listed in Table 1 the activity status should be Prohibited. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.34	F&B	Support with amendment	17. Energy	ENGY-R18	Retain the discretionary activity status for earthworks in SNAs ENGY- R18.	Accept
FS10.33	King Country Energy	Oppose			Disallow	Reject
47.35	F&B	Support with amendment	17. Energy	ENGY-R18	Amend policies in the Energy chapter so that provision for ENGY does not override the protection and avoidance requirements of s6 of the RMA and the NZCPS, which are to be set out in provisions of other chapters including ECO and CEs and must be able to be fully applied. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS03.105	Director-General of Conservation	Support			Allow	Reject
FS10.34	King Country Energy	Oppose			Disallow	Accept
47.36	F&B	Support with amendment	17. Energy	ENGY-R18	Delete ENGY-R18(2). And Add "CE-R8" to ENGY-R18(1).	Reject

					And Any consequential changes or alternative relief to achieve the relief sought.	
FS10.35	King Country Energy	Oppose			Disallow	Accept
47.37	F&B	Support with amendment	17. Energy	ENGY-R18	Add a new clause in ENGY-R18 referring to CE rules for earthworks within coastal hazard areas. And Any consequential changes or alternative relief to achieve the relief sought.	Accept
FS10.36	King Country Energy	Oppose			Disallow	Reject
47.38	F&B	Support with amendment	17. Energy	ENGY-R18	Add a new clause in ENGY-R18 that other than as provided for in the CE rules listed above, earthworks in the coastal environment associated with an energy activity are DIS activities. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS10.37	King Country Energy	Oppose			Disallow	Accept
47.39	F&B	Support with amendment	17. Energy	ENGY-R19	Add the following matter of discretion to ENGY-R19(j) Matters <u>(j) The actual or potential effects on bats and birds</u> And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.40	F&B	Support with amendment	17. Energy	ENGY-R20	Add the following matter of discretion to ENGY-R20: <u>(j) The actual or potential effects on bats and birds</u>	Reject

					And Any consequential changes or alternative relief to achieve the relief sought.	
FS25.11	Ventus Energy	Oppose			Disallow	Accept
53.13	DOC	Oppose in part	17. Energy	ENGY-O4	I seek the following or relief to like effect: Provide for authorised activities in the rural production zone by: 1. Enabling the growth and expansion of such activities to meet the future demand of the district; and 2. Managing adverse environmental effects on the receiving environment by or through avoid, remedy, or mitigation measures through consistent application of the as far as practicable effects management hierarchy.	Reject
53.14	DOC	New	17. Energy	New Objective ENGY- Ox	I seek the following or relief to like effect: <u>The adverse effects of renewable electricity generation activities are:</u> 1. <u>avoided on the identified characteristics and values of the sensitive environments the infrastructure is located within; and</u> 2. <u>managed by applying the effects management hierarchy to achieve the relevant objectives for the underlying zone in other areas.</u>	Reject
FS10.58	King Country Energy	Oppose			Disallow	Accept
FS25.18	Ventus Energy	Oppose			Disallow	Accept
53.15	DOC	Support in part	17. Energy	ENGY-P5	I seek the following or relief to like effect: Allow <u>renewable electricity generation and activities associated with the investigation, identification and assessment of potential sites and energy sources for</u>	Reject

					<p>renewable electricity generation, however they must be avoided within:</p> <ol style="list-style-type: none"> 1. An identified outstanding natural landscape or an outstanding natural feature; or 2. An area of outstanding natural character or high/very high natural character; or 3. The site or surroundings of a heritage building or structure; or 4. A significant archaeological site; or 5. A site or area of significance to Māori; or 6. A significant natural area. 7. <u>A bat protection area.</u> 	
FS10.59	King Country Energy	Oppose			Disallow	Accept
FS25.19	Ventus Energy	Oppose			Disallow	Accept
53.16	DOC	Oppose in part	17. Energy	ENGY-P13	<p>I seek the following or relief to like effect:</p> <p>ENGY-P13. Within the rural production zone where the removal of indigenous vegetation in a significant natural area is <u>proposed</u> unavoidable to provide for: regionally significant infrastructure, adverse effects must be <u>managed by</u> applying the effects management hierarchy.</p> <ol style="list-style-type: none"> 1. <u>If the effects management hierarchy has been sequentially applied and</u> offsetting adverse effects is the only practicable option, indigenous biodiversity values and ecological characteristics of the significant natural area will be <u>restored and enhanced</u> maintained by: <ol style="list-style-type: none"> a. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and b. Ensuring the biodiversity offset can achieve <u>a net gain or at minimum</u> no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or 	Reject

					where that is not practicable, in the ecological district in which the affected significant natural area is located.	
FS10.60	King Country Energy	Oppose			Disallow	Accept
FS25.20	Ventus Energy	Oppose			Disallow	Accept
53.17	DOC	Oppose in part	17. Energy	ENGY-R9	<p>I seek the following or relief to like effect:</p> <p>One wind turbine with a rated capacity up to and including 5kW per site, except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding.</p> <p>PER: Outstanding Natural Landscapes</p> <p>DIS: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character, <u>significant natural areas</u>, <u>bat protection areas</u>, <u>outstanding natural landscapes</u>.</p>	Reject
FS10.61	King Country Energy	Oppose			Disallow	Accept
FS25.21	Ventus Energy	Oppose			Disallow	Accept
FS23.253	Te Nehenehenui	Support in part			Remove sites and areas of significance to Māori , significant archaeological sites.	Accept in part
53.18	DOC	Oppose in part	17. Energy	ENGY-R11	<p>New renewable electricity generation activities including community scale renewable electricity activities not provided for elsewhere in Table 1</p> <p>NC: Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas, <u>significant natural areas (local, regional, national or international significance)</u> or, as preferred by the D-G, delete differing significance hierarchy and <i>apply the standard significance test in accordance with WRPS APP5.</i></p> <p>DIS: Karst overlay, landscapes of high amenity value, significant natural areas (local significance), coastal</p>	Reject

					environment.	
FS10.62	King Country Energy	Oppose			Disallow	Accept
FS25.22	Ventus Energy	Oppose			Disallow	Accept
FS23.254	Te Nehenehenui	Support in part			Add sites and areas of significance to Māori, significant archaeological sites	Accept in part

Tranche 1 - Various provisions – Submission points

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
43.13	Graymont (NZ) Limited	Support	CL-O1	Retain CL-O1 as notified.	Accept
43.14	Graymont (NZ) Limited	Support	CL-P1	Retain CL-P1 as notified.	Accept
43.15	Graymont (NZ) Limited	Support	CL-P2	Retain CL-P2 as notified.	Accept
46.28	Graymont (NZ) Limited	Support	Entire chapter	Retain chapter 21 Contaminated Land as notified.	Accept
43.13	Graymont (NZ) Limited	Support	CL-O1	Retain CL-O1 as notified.	Accept
56.12	BP Oil New Zealand Limited & Z Energy Ltd (The Fuel Companies)	Support	Overview, CL-O1, CL- P1 and CL-P2	Retain the Contaminated Land Chapter overview, Objective CL-O1, and Policies CL-P1 and CL-P2 as notified.	Accept
16.17	Fire and Emergency New Zealand (FENZ)	Support	HS – Table 1 - Activities Rules	Retain as notified.	Accept
27.38	Hort NZ	Support	HS-Hazardous substances	Retain Chapter 22 Hazardous substances as notified.	Accept
31.61	Transpower	Support	HS-R2	Retain HS-R2.	Accept
43.16	Graymont (NZ) Limited	Support	HS-P2	Retain HS-P2 as notified.	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
43.17	Graymont (NZ) Limited	Support	HS-P3	Retain HS-P3 as notified.	Accept
43.18	Graymont (NZ) Limited	Support	HS-P4	Retain HS-P4 as notified.	Accept
43.19	Graymont (NZ) Limited	Support	HS-R1	Retain HS-R1 as notified.	Accept
43.20	Graymont (NZ) Limited	Support	HS-R2	Retain HS-R2 as notified.	Accept
46.29	Federated Farmers	support	Entire chapter	Retain chapter 22 Hazardous substances as notified.	Accept
56.01	The Fuel Companies	Support	Overview, HS-O1, HS- P1 to HS-P4 and HS-R1 to HS-R2	The following relief is sought: a. Retain the Hazardous Substances Chapter overview, objectives, policies and rules as notified.	Accept
16.17	FENZ	Support	HS – Table 1 - Activities Rules	Retain as notified.	Accept
17.79	Waka Kotahi	Support	FC-O1 FC-O2 FC-O3	Retain as notified.	Accept
17.80	Waka Kotahi	Support	FC-P2	Retain as notified.	Accept
17.81	Waka Kotahi	Support	FC-P7	Retain as notified.	Accept
17.82	Waka Kotahi	Support	FR-R4.1(c)	Retain as notified.	Accept
17.83	Waka Kotahi	Support	FC-R5.1(d)	Retain as notified.	Accept
17.159	Waka Kotahi	Support	PREC6-P1	Retain as notified.	Accept
35.23	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	Zones Precincts/ Te Maika Precincts PREC7	Retain intent of PREC7 in supporting Mana whenua aspirations.	Accept
FS20.23	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
24.75	Ministry of Education (MoE)	Support	PREC-O1	Retain PREC7-O1 as notified.	Accept
24.76	MoE	Support	PREC-P6	Retain PREC-P6 as notified.	Accept
16.85	FENZ	Support	PREC-R8	Retain as notified.	Accept
16.84	FENZ	Support	PREC7-P9	Retain as notified.	Accept
03.158	Heritage New Zealand Pouhere Taonga	Support in part	PREC7	That the impact of proposed development levels on the overall archaeological values/landscape of the Te Maika precinct are reviewed to ensure impacts are reduced to a minimum. This may be assisted by a master planning or similar exercise.	Reject
53.71	Department of Conservation	Support in part	SCHED 6 Significant Natural Areas, SCHED 7 Outstanding Natural Features, SCHED 8 Outstanding Natural Landscapes, SCHED 9 Landscapes of high amenity value SCHED 10 Areas of outstanding	Amend as required.	Reject

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
			natural character (SCHED 11 Areas of high/very high natural character), SCHED12 Karst overlay, (SCHED13 Coastal environment overlay)		

Tranche 2 - Miscellaneous - Submission points

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
03.01	Heritage New Zealand Pouhere Taonga (NZHPT)	Support, support in part	Whole plan	Subject to amendments sought elsewhere in this submission, HNZPT seeks that the permitted activities related to schedules, the bonus lot subdivision rules and the subdivision provisions for the protection of scheduled items, are retained.	Accept in part. Not all submission points have been accepted for the reasons set out in various section 42A Reports.
FS05.05	Federated Farmers	Support		Grant the relief sought not including the amendments sought elsewhere in the submission.	Accept
10.01	Waikato Regional Council (WRC)	Amend	Whole plan	Amend the rules and performance standards to be consistent with amendments made as a result of the changes sought in this submission.	Accept in part. Not all submission points have been accepted for the reasons set out in various section 42A Reports
17.01	Waka Kotahi	N/A	Whole plan	Waka Kotahi seeks that reference to 'New Zealand Transport Agency' throughout the plan is amended to 'Waka Kotahi New Zealand Transport Agency' to reflect the updated name of the organisation (with the exception of designations where the Requiring Authority name recorded in the Proposed District Plan should be the 'New Zealand Transport Agency').	Accept. This amendment will be made to all chapters. Except for designations, where council is required to use the Requiring Authority reference as advised by the submitter.
17.03	Waka Kotahi	N/A	Whole plan	Waka Kotahi notes that the Plan does not refer to Emissions Reduction Plan or National Adaptation Plan. These are relevant considerations to which regard shall be given under Section 74(2)(b)(i) of the RMA. They are also relevant with respect to Sections 7(i) & 6(h) of the Resource Management Act 1991 (RMA). Waka Kotahi seeks that the District Plan demonstrates how it has had regard to these matters and how it recognises and provides for the National Adaptation Plan.	Reject.
FS26.01	WRC	Support		The Waitomo PDP demonstrates how it has regard to the NAP and ERP under section 74(2)(b)(i) of the RMA.	Reject
17.04	Waka Kotahi	N/A	Whole plan	Waka Kotahi notes that the Plan doesn't refer to the National Policy Statement – Highly Productive Land. As required by Sections 74(ea) and 75(3)(a) of the RMA the District Plan must give effect to a national policy statement. This National Policy Statement may have spatial implications that could impact on land use and	Reject.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				infrastructure within the District, including the transport network. Waka Kotahi seeks that the District Plan demonstrates how it give effect to this NPS.	
18.35	Auckland Waikato Fish and Game Council (AWFG)	N/A	Whole plan	The recreational values of waterbodies can be constrained by limited public access; therefore, it is important to provide such access. Rivers and streams in the Waitomo District support trout fisheries, and many wetlands support game bird hunting, but outside of urban areas there is relatively little legal public access to and along waterbodies. While unformed legal roads do provide some access to rivers, they often wander over farmland and it is not obvious where they lie. Once at the river, there are few esplanade reserves and strips, marginal strips, recreation and road reserves and so most riverbanks are in private ownership, potentially with ad medium filum rights.	Accept in part. The submission point does not expressly state what relief it is seeking but changes relating to access to water bodies have been recommended as part of the Section 42A process. We note the issue raised by the submitter, but it would be beneficial if they could clarify what specific amendments they are seeking to the plan at the hearing.
18.36	AWFG	N/A	Whole plan	AWFG supports provisions within the Proposed Plan that ensure that public access to and along wetlands, streams, lakes and rivers is enhanced and maintained, and any provisions that provide for the creation and protection of esplanade reserves and strips.	Accept in part.
35.19	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Whole plan	Retain provisions to provide for papakaainga development on Māori owned land in all zones as notified.	Accept in part. Papakaainga development is not provided for in some zones including the industrial zone and rural production zones.
FS20.19	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part.
35.20	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Oppose with amendment	Whole plan	Delete provisions that restrict the number of residential units able to be developed on Māori owned land.	Accept in part. Amendments have been recommended however, it is considered that controls on numbers of residential units on all land is required to manage adverse effects such as traffic, amenity and three waters.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS18.09	Omya	Oppose		Do not adopt this change	Accept in part.
FS20.20	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part.
35.21	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Whole plan	Retain provisions to provide for home businesses on Māori owned land in all zones as notified.	Accept.
FS09.07	Kainga Ora	Support		Allow	Accept
FS20.21	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
38.05	Te Tokanganui- a-noho Whare (TTRMC)	Amend	Whole chapters Māori purpose zone / General rural zone	Amend the Sites and Areas of Significance to Māori as Māori Land Court (MLC) has no provision regarding approval of Concept Management however it does recognise the Delegation of Authority. The Mandated Iwi Authority is used to provide approval of Concept Management Plan's using methodology through its Whare (ex-RMC's) and an approved Environment Management Plan. (This will need to be developed in Partnership with Council) Sect 33 RMA.	Reject. See 35.16 Note development on sites and areas of significance to Māori is controlled by the provisions of that chapter.
FS20.34	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.
38.06	TTRMC	Amend	Plan Wide	Amend Chapter Headings across the Plan to read in both Te Reo and English.	Accept.
FS20.35	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.
38.07	TTRMC	Support	Plan Wide	Retain the approach in the proposed Plan where there is reference to the principles of Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for management of activities in the Upper Waipa Catchment. This approach will be consistent with retaining the following provisions: <ul style="list-style-type: none"> Strategic Direction, Urban Form and Development SD-02. 	Accept.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<ul style="list-style-type: none"> Ecosystems & indigenous biodiversity chapter ECO-O6. Subdivision SUB-O8, SUB-P25. Activities on the Surface of Water ASW-O4. General rural zone GRUZ-P4.1	
FS20.36	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.
45.11	Marama Henare-Waho	Support with amendment	All provisions	Amend the whole Proposed District Plan to be expressed in te reo Māori in the Maniapoto dialect.	Reject. It would be desirable to do this. Headings across the plan are recommended to be changed to read in both Te Reo and English. One option is to investigate the cost of this, noting plans are often amended and would need updating regularly.
46.01	Federated Farmers of NZ (FF)	Oppose with amendment	Provisions in respect of public access over private property	Amend the plan in respect of public access across private property in all sections to identify: <ul style="list-style-type: none"> (a) that no public access across private property is allowed without the permission of the landowner (b) where public access or limited access by other specified parties is sought and is required to meet RMA legislated obligations, the Council will engage with the relevant landowners to reach an acceptable agreement about the terms of the access; and (c) that all public access agreements reached are formalized between the Council and the landowner and any other relevant parties; and (d) ssues in respect of health and safety related to people using public access or access tracks across private property are comprehensively addressed so that there is no liability for the landowner of the land across which the public access / access occurs; and any other consequential Amendments required as a result of the relief sought (a) to (c) above.	Accept in part. Where appropriate, amendments have been made throughout the plan to give effect to this relief as set out in the various s42A Reports.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS23.212	Te Nehenehenui	Support in part		Where the access to sites of customary activities and cultural practices occur and are located on private property and cultural practices occur and are located on private property, TNN encourages engagement and consideration of iwi hapu and mana whenua cultural values specifically in areas and sites of significance to Māori and where mahinga kai and wāhi tapu are located.	Accept in part.
FS30.23	Transpower	Oppose		Disallow	Accept in part.
46.02	FF	Oppose with amendment	Overlays, schedule sites, areas and features	<p>Amend the plan in respect of overlays, scheduled sites and features identified on private property to:</p> <p>Provide the opportunity for on-going mapping refinement and ground-truthing of scheduled sites, particularly SNAs including where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged. Ensure no changes are made to sites without landowner involvement.</p>	<p>Reject.</p> <p>All landowners were consulted on the boundaries and sites were ground-truthed as required. This is evidenced by the handful of submissions requesting sites are checked, added or amended.</p>
FS19.155	PF Olsen	Support		Allow submission point	Reject
FS23.213	Te Nehenehenui	Support in part		Include: where this involves sites and areas of significance to Māori and significant archaeological sites, iwi, hapu and mana whenua must be involved and cultural values must be considered	Accept in part
46.03	FF	Support with amendment	All provisions	<p>Amend to plan to ensure:</p> <p>(a) the retention of the proposed direction for rural industry, farming and rural environments in the proposed district plan subject to the Amendments sought by Federated Farmers in its submission;</p> <p>And</p> <p>(b) that Council comprehensively addresses the issue of public access / access across private property and the related health and safety issues that result from this access being provided;</p> <p>And any consequential amendments required as a result of the relief sought.</p>	<p>Accept in part.</p> <p>It is considered that where appropriate this relief has been provided for in the plan.</p>

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
50.04	Te Nehenehenui	Amend	New – change to titles/ Bilingual headings	TNN requests the use of Te Reo in the chapter headings for the final version of the district plan. Requests and encourages this to be a collaborative process between WDC and TNN/ Maniapoto and translations are inclusive and align to the 2009 Te Rautaki Reo a Te Nehenehenui (Ngāti Maniapoto Language Revitalisation Strategy).	Accept.
FS20.202	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.
03.160	Heritage New Zealand Pouhere Taonga (NZHPT)	Oppose	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. It is noted that the submission states "support" for the provision. However, the submitter has requested that the provision be deleted. Therefore, their position on the submission has been amended to oppose.	Reject. See s42A Report on the Residential Zone.
10.124	Waikato Regional Council (WRC)	Oppose	General comment earthworks provisions	Include a rule (in chapter 33. Earthworks or alternatively, in chapter 26 – Ecosystems and Indigenous Biodiversity) with a limit of 250m ³ for earthworks undertaken within a significant natural area as a permitted activity. WRC recommends that earthworks exceeding this limit have a Discretionary activity status.	Reject This change is not recommended as the rules apply to clearance of indigenous vegetation rather than earthworks which occur after the clearance. It is preferable to manage the clearance in the first instance.
13.02	Sheryl Paekau	Support in part	Whole chapters 41. Residential zone, 42. General rural zone and 45. Settlement zone	Retain the provisions in the residential, general rural and settlement zone that provide for papakainga development around each marae. However, there needs to be recognition of Māori freehold land and treaty settlement land (general land use for Māori purpose) rather than a zoning approach. Amend the PDP to enable the development of Māori freehold land (ancestral lands) inherited by whakapapa, that will better give effect to section 6 matters of the RMA. Amend the PDP to include the same approach that has been adopted by the Waikato District Council in its appeals version (17. Maaori Land) of the PDP for Māori land (which includes Māori freehold land and treaty settlement land).	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
24.01	Ministry of Education (MoE)	Support with amendment	Urban growth	Amend the Proposed District Plan to enable provisions for education facilities in the relevant zones to meet future demands. And any consequential amendments required to give effect to the matters raised in this submission.	Accept in part See strategic development chapter and zone provisions. Noting the Minister of Education has designation powers available, the plan provides for education facilities across multiple zones, except for Industrial, Rural Production, Open Space and Natural Open Space Zones. It is considered that the approach taken in each zone is the appropriate given the range of matters which may need to be considered on a site-by-site and zone by zone basis
29.12	Aggregate and Quarry Association (AQA)	Neutral	N/A	No specific decision sought, but submission seeks some allowance for possible quarrying activity (perhaps small scale) in the Rural Lifestyle Zone and other zones which are not covered in the proposed plan.	Reject During the development of the plan this matter was considered at length. The other zones in the district are very small by comparison to the general rural zone and contain identified characteristics that are not compatible with quarrying activities. Quarrying is provided for in the rural production and industrial zones.
31.76	Transpower	Support	Mapping and Designations National Grid line Part 3 , Area Specific Matters and Part 4, Appendices and Maps	Retain the identification of the National Grid line on the planning maps.	Accept
34.01	Ayush Mudaliar	Oppose	Zoning - Piopio	Amend the proposed zoning changes for Piopio.	Reject. The zoning in Piopio has

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
					been amended to ensure that reflects the current land use (i.e. the commercial zone has been removed the Piopio Village Green and the Piopio Hall and the residential dwellings at 82 and 84 Moa Street, and 6 Weka Street in Piopio. It is not clear what relief the submitter is seeking, and they may wish to provide some clarity at the hearing. In the interim it is recommended that this submission point is rejected.
35.13	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Historical and Cultural Values Chapters	Retain Historical and Cultural Values chapters to recognise and protect historical and cultural values as notified.	Accept
FS20.13	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
35.14	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	MV-R1 MV – Māori values and Mātauranga Māori	<p>Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Māori values and Mātauranga Māori.</p> <p>And</p> <p>Add Rule MV-R1 as follows:</p> <p><u>(1) All discretionary and non-complying activities in Part 2 wide matters and Part 3 – Area-specific matters sections of this Plan must address:</u></p> <p><u>The effects on values held by mana whenua and the appropriateness to mana whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document.</u></p>	<p>Accept in part</p> <p>See 35.16</p> <p>Accept in part</p> <p>The plan takes the approach of identifying those activities which have been signaled by mana whenua as requiring the approach proposed in MV-R1. This does not in any way undermine the requirement to consult with mana whenua on any application regardless of the plan's provisions.</p>
FS18.08	Omya	Oppose		Do not adopt this change.	Accept in part
FS20.14	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga	Accept in part

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				be allowed	
35.15	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	TETW - Vision and Strategy Historical and Cultural Values/ Te Ture Whaimana-TETW	Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Te Ture Whaimana. (refer TETW Vision and Strategy chapter attached as part of the submission)	Accept in part This plan gives effect to the Vision and Strategy in a coordinated matter throughout the chapters. There are specific provisions supporting its implementation which were developed in conjunction with mana whenua and are tailored to ensure appropriate implementation occurs within the district. No change is recommended.
FS20.15	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.16	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land Historical and Cultural Values/ML-Māori owned land	Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for I owned land (which includes I Freehold Land and Treaty Settlement Land. (refer ML chapter attached as part of this submission)	Accept in part. It is noted that the intent of this submission is to enable development of papakāinga on all Māori Freehold Land. The plan already enables this type of development in the residential, general rural and settlement zones. The papakāinga rules within the zones (set out below) also apply to general title land as well as Māori Freehold Land . The plan therefore has achieved what the submitter is seeking. The approach taken in the plan is an advantage to landowners who do not wish their land to be managed by the Māori Land Court and where funding from banks can be challenging to obtain. The plan includes in the following

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
					<p>chapters provisions that enable marae complex and papakāinga housing development as a permitted activity at a scale that is appropriate to that zone:</p> <ul style="list-style-type: none"> • General rural zone; • Rural lifestyle zone; • Residential zone; • Settlement zone; • Tourism zone; • Te Maika precinct <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The maximum site coverage as that may be a determining factor for how many papakāinga residential units can establish as a permitted activity</p>
FS20.16	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.17	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land	Amend the Plan to enable the development of Maori Freehold land (ancestral lands) inherited by whakapapa. (refer to The Proposed Waikato District Plan for full details).	Accept in part See 35.16
FS20.17	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.18	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land	Amend the plan to include provisions that enable development on Māori freehold land and Treaty Settlement Land (General Land used for Māori purpose). (refer to The Proposed Waikato District Plan for full details). Refer Submission Number 35.17.	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS20.18	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
36.26	Kāinga Ora	Oppose with amendment	GRUZ-R44 *likely GRUZ-R45	<p>Amend GRUZ-R44 as follows:</p> <p>Maximum number of residential units</p> <p>...</p> <p>4. A papakāinga housing development of no more than 6 residential units must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</p> <p>And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	<p>Reject.</p> <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The submitter is invited to provide further information to support any change proposed.</p>
FS20.29	Sheryl Paekau	Support		Amend the provisions to be consistent and permitted where all the performance standards are complied with	Reject.
36.27	Kāinga Ora	Oppose with amendment	RLZ-R21	<p>Amend RLZ-R21 as follows:</p> <p>Maximum number of residential units ...</p> <p>4. A papakāinga housing development of no more than 6 residential units must be on a site of sufficient size to contain the treatment and disposal of ...</p> <p>And</p> <p>Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	<p>Reject.</p> <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The submitter is invited to provide further information to support any change proposed.</p>
52.01	Grant Lennox	Oppose	Not specified	Proposed rules are too restrictive.	<p>Reject</p> <p>See Miscellaneous S42A Report</p>
54.01	Apiculture New Zealand	Not specified	Not specified	Not specified.	<p>Reject</p> <p>See Miscellaneous S42A Report</p>
FS05.149	Federated Farmers	Oppose		Decline the relief sought	<p>Accept</p> <p>See Miscellaneous S42A Report</p>

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
55.02	Kura Stratford	Support in part	Whole chapters	<ul style="list-style-type: none"> Retain the provisions in the residential, general rural and settlement zone that provide for papakaainga development around each marae. However, there needs to be recognition of Māori freehold land and treaty settlement land (general land use for Māori purpose) rather than a zoning approach. Amend the PDP to enable the development of Māori freehold land (ancestral lands) inherited by whakapapa, that will better give effect to section 6 matters of the RMA. Amend the PDP to include the same approach that has been adopted by the Waikato District Council in its appeals version (17. Māori Land) of the PDP for Māori land (which includes Māori freehold land and treaty settlement land. I suggest the Proposed District Plan can be improved by enabling the Māori landowners to decide how many houses they need for their whānau and not limiting it to just six whānau members on one fee simple title. <p>I suggest the restrictions on the number of houses for Māori land should be removed. Māori landowners should be afforded the opportunity to use tikanga, kawa, Mātauranga to develop their lands for their future development and for successive generations.</p>	Accept in part See 35.16
FS18.16	Omya	Oppose		Do not adopt this change	Accept in part See 35.16
FS20.242	Sheryl Paekau	Support		I seek that this be amended and supported to give better effect	Accept in part See 35.16
FS23.262	Te Nehenehenui	Support		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support</p>	Accept in part See 35.16
55.03	Kura Stratford	Support in part	Whole Chapter	<p>Retain the provisions that support marae purpose living, papakaainga. Provide a pathway in the rule framework, which enables the development of Māori freehold land.</p> <p>The Waikato Proposed District Plan has provisions under Māori land for Māori Freehold land, Treaty Settlement land (which came back</p>	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>as General Land) is treated the same if used for Māori land purpose benefits. I suggest that Waitomo District Council consider these provisions. Waikato District Council have provided forward thinking for whenua Māori development. Incorporate the following Waikato Proposed District Plan provisions.</p> <p>Part 2: District-wide matters / Historical and cultural values / ML – Māori</p> <p>land Proposed Waikato District Plan – Appeals Version 8 August 2022 Refer to ML-P2 Non-regulatory policies.</p>	
FS20.243	Sheryl Paekau	Support		I seek that this be amended and supported to provide a national approach for Māori land.	Accept in part See 35.16
57.01	Tom Anderson	Oppose	Not specified – Pukenui A23B	Not specified.	Reject See Miscellaneous S42A Report
58.01	James Findlay	Not specified	Not specified	Seeks to support the submission by NZAAA, but no specific relief sought.	Reject See Miscellaneous S42A Report
46.30	FF	Support with amendment	Entire chapter	<p>Add provisions in chapter 26 Natural hazards to provide a permitted framework that recognises and provides for buildings and structures that have a functional need to be located within a natural hazard area.</p> <p>And any consequential amendments required as a result of the relief sought.</p>	Accept in part. Amendments were recommended to the natural hazards chapter in the s42A Report to give effect to this relief sought.
46.31	FF	Oppose	NH-R6	<p>Amend NH-R6 to make primary production activities exempt from the earthworks thresholds.</p> <p>And any consequential amendments required as a result of the relief sought.</p>	Reject. There is a need to manage earthworks in natural hazard areas. It would not be appropriate to provide an exemption to NH-R6 for primary production given the extent of activities covered by the definition.
FS23.216	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā	Accept

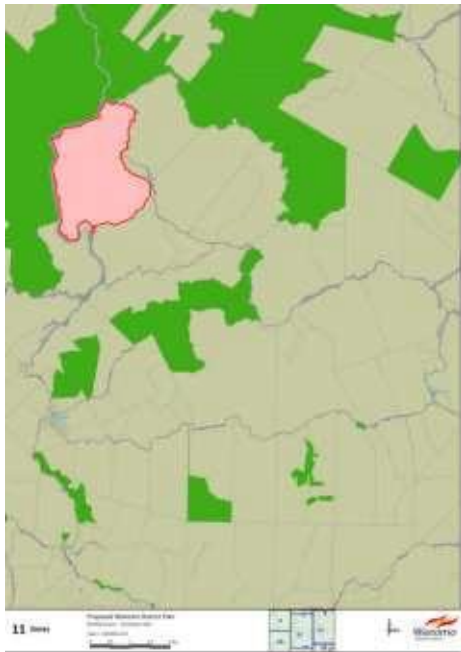
Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	
53.52	DOC	Oppose in part	ASW-P2	<p>Amend AWS-P2 as follows or words to like effect:</p> <p>Ensure any activities (including temporary activities) proposing to locate on the surface of the water, including structures and tourism activities, are appropriate having regard to the:</p> <ol style="list-style-type: none"> 1. Particular natural character, ecological, cultural, historical, amenity and/or recreational values of the water body and the impact of the activity on these values; and 2. Purpose of the activity and whether it has a functional need to locate on the surface of the water; and 3. Ability to provide, maintain, or enhance public access to the water body; and 4. Ability to restore and rehabilitate the water body and/or off-set any adverse <u>residual</u> effects <u>to a net gain outcome</u>; and 5. Ability to maintain or enhance the natural character and natural functions of the water body and its margins; and 6. Potential to create new or exacerbate existing natural hazards, including flooding or streambank erosion. 	<p>Reject.</p> <p>Not all water bodies will require restoration and rehabilitation, and therefore it would not be appropriate to broaden the policy to allow for adverse residual effects and it would be difficult to determine what a net gain outcome would be, so this wording would not be appropriate.</p>
FS10.71	King Country Energy	Oppose		Disallow	Accept
18.11	AWFG	Seek amendment	Introduce new part	<p>For the reasons set out in the general submissions above under “Council freshwater management” AWFG seek a new part which sets methods and rules for the management of Council land, specifically for freshwater. This should map all land owned and controlled by the Waitomo District Council and apply a set of methods, including rules, to this land to achieve the following:</p> <ol style="list-style-type: none"> 1. Ensuring public access to waterways is provided for. 2. Introduction of a new rule requiring a 20m setback between activities which may contaminate waterways and the bed of the waterway. 	<p>Reject</p> <p>See Miscellaneous S42A Report</p>

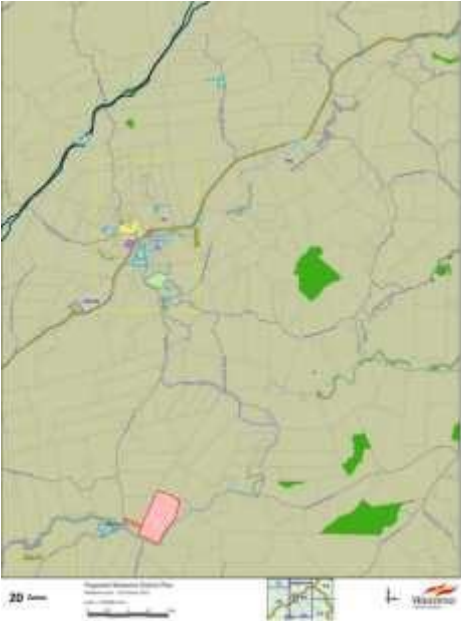
Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>3. Introduction of new rules controlling drainage, fertiliser and pesticide use.</p> <p>4. Introduction of a new method and rules to phase out existing polluting activities, and phase in new activities and modify existing activities so that they are less impactful or intrusive on freshwater.</p> <p>Introduce a new rule for riparian land which is not currently under lease, or for which the lease expires, that it is retired from uses which may pollute freshwater. Include a provision to ensure a plan is made for the land's restoration.</p>	
10.161	WRC	Support	Appendix 2- Cultural Impact assessments process	Retain as notified.	Accept in part See Miscellaneous S42A Report
38.151	TTRMC	Support with amendment	Appendix 2 – Cultural Impact Assessment Process	<p>Retain Appendix 2 – Cultural Impact Assessment Process. And</p> <p>Amend Appendix 2 – Cultural Impact Assessment Process to remove reference to IP ownership regarding all aspects of Ko Tā Mahere Taiao. The Environment Plan (and all things in it) belongs to Maniapoto.</p>	Reject See Miscellaneous S42A Report
FS20.180	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 See Miscellaneous S42A Report
50.36	Te Nehenehenui	Support	Appendix 2 – Cultural Impact Assessment Process	<p>Retain Appendix 2 –</p> <p>The Tāngata Whenua Effects Assessment Report ('TWEAR') and Amended to include: where a Cultural Impact Assessment (CIA) is required, this process must include engagement, consultation with iwi, mana whenua or whare representative.</p> <p>The 'TWEAR' must be reviewed by iwi/ mana whenua or whare reps to ensure the cultural values of Maniapoto are included.</p>	Accept See Miscellaneous S42A Report
FS20.234	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 See Miscellaneous S42A Report
FS23.245	Te Nehenehenui	Support		Support and further amend to include reference to the respective treaty settlement. Where it references Te Ture Whaimana,	Accept See Miscellaneous S42A

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				reference must also be given to the Ngā Wai o Maniapoto (Waipā River Act) 2012 and where the plan references the Maniapotos EMP , please state the entire name " Ko Tā Maniapoto Mahere Taiao, Maniapoto's Environmental Management Plan "	Report
03.171	NZHPT	Support	Appendix 3 ICOMOS Charter NZ	That Appendix 3, the ICOMOS Charter is retained in the draft Plan.	Accept
14.01	New Zealand Pork Industry Board (NZPIB)	Support in part	Building	Provide relief from the rules relating to buildings for mobile pig shelters throughout the plan.	Reject See 14.58 General rural zone
FS05.35	Federated Farmers	Support		Grant the relief sought	Reject See 14.58 General rural zone
27.03	Hort NZ	Support with amendment	Building	Amend the definition of 'Building' to provide for artificial crop protection structures and crop protection structures which are excluded from building requirements.	Accept in part Building is a national planning standards definition and cannot be amended. See 27.78 General rural zone
43.09	Graymont (NZ) Limited	Support with amendment	Significant mineral resources	Amend definition of 'Significant mineral resources' to include the assessment criteria for defining significant mineral resources, (as per Method UFD-M29 of the WRPS) for ease of access for the plan user .	Accept in part See Miscellaneous S42A Report
FS23.178	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	Accept in part
21.06	NZDF	Support with amendment	Temporary activity	Add new definition for 'Temporary Activity' . Or If 'Temporary Events' and temporary activities are intended to be	Reject The plan defines temporary

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				one in the same, update all plan references to 'Temporary Event' to 'Temporary Activity'.	events as these activities can cause confusion or debate about what they encompass. Temporary activities is a term used very broadly in the plan and it is considered unwise to try and define its parameters given its wide application. No change is recommended.

Miscellaneous Maps - Submission points

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
07.01	Omya New Zealand Limited (Omya)	Support	(Zones Map 7 & 33)	That the Rural Production Zoning of the Symonds Quarry and Omya Processing plant is retained.	Accept
07.02	Omya	Oppose / Amend	(Zone Map 11)	<p>Omya seeks an amendment to Zoning Map 11 to rezone the Ngapenga Quarry to Rural Production Zone, identifying the future quarrying activity to be undertaken on that site. This change will also require the site to be listed as a scheduled site in the RPROZ Schedule 1. Image below contains a mark up of the District Plan Zoning Map showing the area Omya seek to be rezoned.</p> 	<p>Reject</p> <p>See 07.07, 07.14</p> <p>RPROZ section 42A Report</p>
FS23.18	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	<p>Accept</p> <p>See 07.07, 07.14</p> <p>RPROZ section 42A Report</p>
07.03	Omya	Oppose / Amend	Zoning Map 20	Omya seeks an amendment to Zoning Map 20 to rezone the Rorisons Quarry and Processing Plantsite to Rural Production Zone,	Reject

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
				<p>identifying the current and ongoing quarrying activity to be undertaken on that site. This change will also require changes and additions to RPROZ Schedule 1. The image below contains a mark up of the District Plan Zoning Map showing the area Omya seek rezoning.</p> 	<p>See 07.08, 07.14 RPROZ section 42A Report</p>
FS23.19	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	<p>Accept See 07.08, 07.14 RPROZ section 42A Report</p>
10.168	WRC	Amend	General comment	Include the coastal flooding hazard area (CFHA) for the Mokau River Mouth Area.	<p>Reject. It would be useful if the submitter could provide clarity about the specific delineation of the area they are requesting be included and why.</p>
10.169	WRC	Amend	General comment	Change the transparency of the 'High Risk Flood Zone' layer to 0%, or making it hashed in a dark colour (e.g., red).	<p>Reject The maps are considered to adequately identify and demark</p>

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
					these features.
10.170	WRC	Amend	General comment	Review and amend the 'Zoning' layer of the PDP Intramaps so that they identify and reflect the natural features present (such as rivers and their margins).	Reject The maps are considered to adequately identify and demarcate these features.
47.197	Forest and Bird	Support	Coastal environment overlay	Retain the extent of the coastal environment overlay as shown on the maps.	Accept
48.01	S Machra	Oppose	Amenity precinct	Delete the Amenity Precinct from the property at 1054 Mangarino Road, Hangatiki.	Reject. The Waitomo Caves are one of New Zealand's most iconic and historic tourist attractions with large numbers of tourists visiting. The corridor along State Highway 37 between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 is an important gateway. The amenity precinct applies to land zoned general rural, Māori purpose, natural open space and settlement. The plan adds additional controls in respect of signs, relocated buildings and shipping containers. It also controls tourism facilities and retail activities within the general rural zone. In addition to managing signs, the precinct also protects the safe functioning and efficiency of the State Highway network by signalling that development outside of the identified tourism zones should only proceed in specified circumstances. It is

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
					considered that for these reasons the amenity precinct must remain.
FS23.241	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature.	Accept
38.152	TTRMC	Support	Appendix 6 - Statutory Acknowledgement Areas	Retain Appendix 6 Statutory Acknowledgement Areas as notified.	Accept
FS20.181	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
50.37	TNN	Support	Appendix 6 - Statutory Acknowledgement Areas	Retain Appendix 6 – 8 Statutory Acknowledgement Areas.	Accept
FS20.235	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
FS23.246	Te Nehenehenui	Support		Support and further amend to include reference to the respective treaty settlement. Where it references Te Ture Whaimana, reference must also be given to the Ngā Wai o Maniapoto (Waipā River Act) 2012 and where the plan references the Maniapotos EMP , please state the entire name “ Ko Tā Maniapoto Mahere Taiao, Maniapoto’s Environmental Management Plan ”	Accept
38.153	TTRMC	Support	Appendix 7 - Statutory Acknowledgement Areas	Retain Appendix 7 Statutory Acknowledgement Areas as notified.	Accept
FS20.182	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

Submission No	Submitter	Support/ in part/ oppose	Plan Provision	Relief Sought	Recommendation
38.154	TTRMC	Support	Appendix 8 - Statutory Acknowledgement Areas	Retain Appendix 8 Statutory Acknowledgement Areas as notified.	Accept
FS20.183	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

Miscellaneous Definitions - Submission points

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
19.09	PFO	Support in part	Earthworks	Amend the definition of 'earthworks' to include an exclusion for plantation forestry earthworks.	Reject. Earthworks is a national planning standards definition and cannot be amended. However, It is considered that the relief sought is already provided for in Rule EWR6.3 and therefore the an amendment to the definition is not required.
FS23.65	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept.
27.05	Hort NZ	Support	Earthworks	Retain the definition of 'Earthworks' as notified.	Accept.
30.07	NZFM	Support with amendment	Earthworks	Amend the definition of 'Earthworks' to exclude earthworks associated with plantation forestry; And Add a reference to the National Environmental Standards for Plantation Forestry.	Reject. See 19.09
FS19.07	PF Olsen	Support		Allow submission point	Reject
FS23.101	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
31.01	Transpower	Support	Earthworks – whole chapter	Retain as notified.	Accept in part
39.01	Firstgas	Support	Earthworks – whole Chapter	Retain as notified.	Accept in part
29.03	AQA	Support	Chapter 9 – Definitions - Chapter	Retain the National Planning Standards definitions as notified.	Accept in part.
53.01	Department of Conservation (DOC)	Support	Chapter 9 – Definitions - All definitions	Retain as notified, except where specific changes are requested below.	Accept in part. It is considered that this submission is accepted in part, as not all requests from DoC to amend definitions have been accepted.
FS19.25	PF Olsen	Oppose in part		Allow submission points, subject to including the definitions of forestry activities as per NES-PF.	Accept in part.
FS23.252	Te Nehenehenui	Not stated		<p>Te Nehenehenui promotes and encourages direct engagement with Mana whenua. In instances where a mana whenua grouping cannot be contacted or consulted within the Te Nehenehenui area of interest, TNN has an obligation to represent its people and taonga to ensure that the integrity of their mana and mauri is maintained, upheld, and not undermined.</p> <p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submitters’ submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within Te Nehenehenui area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review. If submitters submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the Te Nehenehenui area of interest, TNN is in support.</p>	Accept in part.
21.03	NZDF	Support	Chapter 9 – Definitions - Emergency management activities	Retain as notified.	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
16.01	FENZ	Support	Chapter 9 – Definitions - Emergency management activities	Retain as notified.	Accept
16.02	FENZ	Support	Chapter 9 – Definitions - Emergency service facilities	Retain as notified.	Accept
21.04	NZDF	Support	Chapter 9 – Definitions - Emergency service facilities	Retain as notified.	Accept
16.03	FENZ	Support	Chapter 9 – Definitions Hazardous substance	Retain as notified.	Accept
24.04	MoE	Support	Chapter 9 – Definitions Educational facility	Retain as notified.	Accept
17.08	Waka Kotahi	Support	Chapter 9 – Definitions Functional Need	Retain as notified.	Accept
31.02	Transpower	Support	Chapter 9 – Definitions Functional need	Retain as notified.	Accept
51.01	KiwiRail (KRH)	Support	Chapter 9 – Definitions Functional Need	Retain as notified.	Accept
46.08	Federated Farmers	Support	Chapter 9 – Definitions Functional need	Retain the definition for 'functional need' as notified. And any consequential amendments required as a result of the relief sought.	Accept
43.01	Graymont (NZ) Limited	Support	Chapter 9 – Definitions Industrial activity	Retain as notified.	Accept
FS23.176	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN	Reject.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	
31.03	Transpower	Support	Land disturbance	Retain as notified.	Accept.
04.09	NZAAA	Support in part	Lawfully established activities	<p>Include a definition for lawfully established activities: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> 	<p>Reject.</p> <p>It is not beneficial to define what is a lawfully established activity, as there are multiple mechanisms for establishing what is a lawfully established activity, such as court order, consent order, NES, resource consent, section 10 of the RMA. We would not want to be overly restrictive in our approach by defining it.</p>
FS05.20	Federated Farmers	Support		Grant the relief sought	Reject.
FS07.09	Grant Lennox	Support		Allowed	Reject.
12.09	Heli A1 Limited	N/A	Lawfully established activities	<p>Include a definition for lawfully established activities: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> 	<p>Reject.</p> <p>See 04.09</p>
FS13.31	New Zealand Agricultural	Support		Add the definition as sought	Reject.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
	Aviation Association				
FS15.13	New Zealand Helicopter Association	Support		Add the definition as sought	Reject
23.03	Balance Agri-Nutrients	Neutral	Lawfully established activities	<p>Add new definition for 'Lawfully established activities' as follows: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> <p>And</p> <p>Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.</p>	Reject. See 04.09
16.04	FENZ	Support	Natural hazard	Retain as notified.	Accept.
16.05	FENZ	Support	Operational need	Retain as notified.	Accept.
17.11	Waka Kotahi	Support	Operational Need	Retain as notified.	Accept.
24.06	MoE	Support	Operational need	Retain as notified.	Accept.
31.10	Transpower	Support	Operational need	Retain as notified.	Accept.
51.05	KRH	Support	Operational need	Retain as notified.	Accept.
10.02	WRC	Amend	Maara kai	Add a definition for "maara kai."	Accept in part.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
					<p>The request is already provided for in Chapter 11, as Māra kai is defined as:</p> <p><i>sustainable community gardens which include community vegetable gardens, orchards and food forests</i></p>
FS03.11	Director-General of Conservation	Support		Allow	Accept in part.
50.11	TNN	Support	Māori cultural and customary uses	Retain as notified.	Accept.
FS20.209	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.
38.12	TTRMC	Support with amendment	Māori cultural and customary uses	Retain the definition of 'Māori cultural and customary uses' with amendments as noted elsewhere in the submission.	Accept
FS20.41	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.
16.06	FENZ	Support	Significant hazardous facility	Retain as notified.	Accept
21.01	New Zealand Defence Force (NZDF)	Support	Significant Hazardous facility	Retain as notified.	Accept
FS09.04	Kainga Ora	Oppose		Disallow	Reject

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
27.15	Hort NZ	Oppose with amendment	Significant hazardous facility	Delete the exemption (iii) land based from the definition of 'significant hazardous facility'.	Reject. If 'land based' is removed from the exclusion listed in (iii) this would mean that all activities as defined as primary production would meet this exception. It is not considered appropriate to provide an exception for all 'primary production' activities, as this definition includes activities such as quarrying and mining, which may involve the storage of hazardous substances or other chemicals in significant quantities. 'Land based' is a term that is defined in the National Policy Statement for Highly Productive Land as <i>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.</i> No change is recommended.
43.08	Graymont (NZ) Limited	Support	Significant hazardous facility	Retain as notified.	Accept.
56.02	The Fuel Companies	Support in part	Significant hazardous facility	Amend the exclusions of the significant hazardous facility definition as follows: [...] For the avoidance of doubt, the following activities are not significant hazardous facilities: (i) The incidental use and storage of hazardous substances in minimal domestic scale quantities; (ii) Retail outlets for hazardous substances intended for	Accept in part. See Miscellaneous S42A Report

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				<p>domestic usage (eg supermarkets, hardware stores, and pharmacies);</p> <p>(iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities;</p> <p>(iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage;</p> <p>(v) Fuel in motor vehicles, boats, airplanes and small engines;</p> <p>(vi) Military training activities;</p> <p>(vii) The transport of hazardous substances; and</p> <p>(viii) Emergency management activities; <u>and</u></p> <p>(ix) <u>The underground storage of diesel and petrol.</u></p>	
16.07	FENZ	Oppose	Structure	<p>Exclude towers and poles associated with emergency service facilities from the definition of 'structure'.</p> <p>Or Exclude towers and poles associated with emergency service facilities from the height and height in relation to boundary performance standards in each zone.</p>	<p>Reject.</p> <p>It is not appropriate to amend the definition of structure as it is RMA and national planning standards definition. However, it is considered that the relief sought by the submitter has been provided for through exceptions in the zones.</p>
FS09.03	Kainga Ora	Oppose		Disallow	Accept.
21.07	NZDF	Amend	Reverse sensitivity	<p>Add new definition for 'reverse sensitivity' consistent with the definition included in the Waikato Regional Council Regional Policy Statement as follows:</p> <p><u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u></p>	<p>Accept.</p> <p>This definition is contained in the WRPS. It is appropriate to give effect to this document and its provisions, including through the use of definitions.</p>

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
27.25	Hort NZ	New	Reverse sensitivity	Add a new definition for 'Reverse sensitivity' as follows: <u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Accept See 21.07
FS05.47	Federated Farmers	Support		Grant the relief sought or with wording with similar intent and effect.	Accept See 21.07
FS08.02	Graymont Ltd	Support		Allowed	Accept See 21.07
31.13	Transpower	Amend	Reverse Sensitivity	Add a definition for 'Reverse Sensitivity' as follows: <u>means the potential for an approved, existing or permitted activity to be compromised or constrained, by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by the approved, existing or permitted activity.</u> And Any consequential amendments.	Accept in part. It is recommended that a definition is included however the preference is to rely on the definition contained in the WRPS. It is appropriate to give effect to this document and its provisions, including through the use of definitions.
FS05.50	Federated Farmers	Support		Grant the relief sought or with wording with similar intent and effect	Accept in part.
FS24.07	The Lines Company	Support		Allow	Accept in part.
51.11	KRH	Support with amendment	Reverse Sensitivity	Amend by adding a new definition of reverse sensitivity (modelled on the Waikato RPS) as follows: <u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the development, upgrading, operation and maintenance, or require mitigation of the effects of, the existing</u>	Accept in part. It is recommended that a definition is included however the preference is to rely on the definition contained in the WRPS. It is appropriate to give effect to this document

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				<u>activity.</u>	and its provisions, including through the use of definitions.
FS09.08	Kainga Ora	Oppose		Disallow	Accept in part.
53.08	DOC	New definition	Risk	Insert a new definition for risk consistent with the definition of risk in the New Zealand Coastal Policy Statement.	Reject. It is considered that it is not necessary or appropriate to define risk, as there are multiple risks and providing a definition will not be of benefit to plan users.
FS19.29	PF Olsen	Oppose		Disallow submission point	Accept

7. Appendix 2 – Decisions Version of the Chapters

Overview

The focus of this chapter is on energy generation. Also see the [national electricity and gas transmission chapter](#) for activities undertaken near transmission structures and the [network utilities chapter](#) for activities undertaken by network utility operators. Energy is essential to the efficient functioning of our communities and economy and energy demand is growing. Currently oil and petrol fuel the majority of our vehicles and electricity heats and lights our homes and workplaces. Renewable electricity generation is becoming increasingly important as a way of meeting future demand in an environmentally sustainable manner. The benefits of using renewable sources of energy is a matter that particular regard must be given to under section 7 of the Resource Management Act 1991, along with energy efficiency and climate change.

The contribution of renewable electricity generation towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment. **The country's** strategic target is that 100 per cent of electricity generated in New Zealand should be derived from renewable energy sources by 2035. Increasing renewable electricity generation can have local, regional and national benefits.

The Act defines renewable energy as energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave, and ocean current sources. To achieve this, the government has put in place a National Policy Statement for Renewable Electricity Generation (NPSREG). This plan must give effect to the NPSREG. In order to meet the **government's** target, it will be necessary to increase the output capacity of renewable electricity generation through the development of new renewable electricity generation activities along with the protection of output from existing activities.

In Waitomo District, the most probable forms of energy are based on renewable sources. There are several existing hydro-electricity generation schemes and there is the potential for similar schemes to develop in the future. The western hills are a recognised wind resource and over time wind farms are expected to develop in this area. The feasibility of solar energy for large scale electricity generation is improving. Large scale solar electricity generation facilities may also be developed on suitable urban or rural land in the district. As well as large scale energy projects, it is likely that more people and businesses will develop generation sources using wind or solar power. This could be on site at an individual/household scale or a community scale. Given the relative isolation of some parts of the district and the dependency on distribution networks, there are significant benefits in terms of cost and security of supply, for people to generate energy on-site. Other forms of fuel energy, such as biofuels and waste to energy plants, also have the potential to contribute to meeting future energy demands.

The location of renewable electricity generation activities is often driven by their functional and operational need to access natural resources. Often, these locations have other values associated with them such as important natural features and landscapes, coastal environment values and significant natural areas. Where possible a balance is required to ensure renewable electricity generation activities can locate where resources are, providing these values are not unduly compromised. In some cases, applying a

balancing approach is not appropriate because the values of the identified overlay, scheduled site or feature are so significant. For this reason, the development of new larger scale energy activities has been listed as a prohibited activity within identified outstanding natural features and areas of outstanding natural character. Additionally, it is not appropriate for safety reasons, for any structure that does not comply with the flightpath height restrictions for the Te Kūiti Aerodrome to be constructed. For this reason, this activity has also been listed as a prohibited activity.

Renewable electricity generation activities are often seen as a change to amenity that some people embrace - while others do not. The provisions in this chapter seek to manage these effects through controlling the location, scale and noise levels, whilst recognising visual amenity values may change over time.

This plan also provides for the efficient operation, management and upgrading of four existing hydro generation facilities in the district. The four facilities are Wairere Hydro Power Station, Mokauiti Hydro Power Station, Speedies Road Hydro Power Station and Boulder Creek Road Hydro Power Station. All of these facilities are located in the rural production zone and generate over 1MW of electricity and as such, are recognised as being regionally significant infrastructure. In the main, the rules for these facilities are located within this chapter. Depending on the type of activity and the characteristics of the site, other chapters in the plan may be relevant such as subdivision, financial contributions and natural hazards. A plan change to include new major energy infrastructure as a rural production zone is an option for energy companies and/or developers to consider.

Objectives

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

- ENGY-O1. Increase the resilience of communities within the district by:
1. Enabling renewable electricity generation activities; and
 2. Encouraging the development of on-site and community scale renewable electricity generation activities; and
 3. Recognising the positive benefits and contribution of renewable electricity generation towards reducing the effects of climate change.
- ENGY O2. Recognise and provide for the national significance of renewable electricity generation activities by:
1. Maintaining and/or increasing the use and supply of renewable electricity to communities both within the Waitomo district and wider network; and
 2. Protecting existing renewable electricity generation activities; and
 3. Enabling development of new renewable electricity generation activities; and
 4. Acknowledging the functional and operational need of renewable electricity generation activities.
- ENGY-O3. Encourage the efficient use of energy.
- ENGY-O4. Provide for authorised activities in the rural production zone by:

1. Enabling the growth and expansion of such activities to meet the future demand of the district; and
2. Managing adverse environmental effects on the receiving environment by internalising effects to the property boundary, or through avoid, remedy, or mitigation measures as far as practicable.

Policies

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

- ENG-Y-P1. Enable the ongoing operation, maintenance, repair and upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment are avoided, remedied or mitigated.
- ENG-Y-P2. In all zones and precincts, recognise the benefits of small-scale electricity generation in a form that is commensurate with the function, nature and scale of the anticipated activities, while managing the values of overlays and scheduled sites and features.
- ENG-Y-P3. Recognise the potential for community scale renewable electricity generation activities in most zones in the district where the electricity generated is shared with consumers in the same community. For any application recognise the social, environmental and economic benefit to the community from sharing electricity that has been generated locally.
- ENG-Y-P4. Manage the development of new renewable electricity generation activities including community scale renewable electricity generation activities, recognising that developments will be of varying scale with different benefits and levels of effects. Matters to consider include:
1. The benefits of the activity, recognising that benefits may offset adverse effects on amenity; and
 2. Any functional or operational needs or constraints; and
 3. **The scale, intensity duration or frequency of the activity's effects** including at the time of construction; and
 4. Adverse amenity, visual, traffic generation, safety, light overspill, shadow, earthworks, glare and noise effects; and
 5. Adequate separation distances from existing and consented sensitive activities to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised;
 6. Effects on scheduled sites, features or overlays;
 7. The contribution of the activity to the District, Regional and National electricity needs and security of supply; and
 8. Effects on indigenous species including highly mobile species.

In doing so, recognise large scale activities will be more appropriate within the industrial, rural production, and general rural zones.

- ENG-Y-P5. Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however adverse effects must be no more than minor in scale within:

1. An identified outstanding natural landscape or an outstanding natural feature; or
2. An area of outstanding natural character or high/very high natural character; or
3. The site or surroundings of a heritage building or structure; or
4. A significant archaeological site; or
5. **A site or area of significance to Māori; or**
6. A significant natural area.

- ENGY-P6. Recognise that increasing levels of renewable electricity generation activities may alter existing visual amenity values, but the level of adverse visual effects may not be appropriate in some overlays, scheduled sites and features.
- ENGY-P7. Manage new development and land use activities near existing renewable electricity generation activities to avoid reverse sensitivity effects to the extent reasonably possible.
- ENGY-P8. Avoid development that does not comply with the flightpath height restrictions for the Te **Kūiti** Aerodrome.
- ENGY-P9. Recognise the short-term benefits from temporary generators at the time of an emergency or when electricity supply is disrupted.
- ENGY-P10. For any co-generation or waste to energy conversion:
1. Acknowledge the benefits of the efficient use and disposal of waste; and
 2. Manage more than minor adverse environmental effects created by this activity; and
 3. Appropriately locate these activities within the:
 - a. Rural production zone; or
 - b. General rural zone; or
 - c. Industrial zone.
- ENGY-P11. Provide for facilities which produce biogas by anaerobic fermentation of waste, ensuring both the benefits and any effects, including the potential for reverse sensitivity effects, are taken into account. Avoid locating these facilities in areas of the district where a non-complying activity status is signalled in the rules.
- ENGY-P12. Avoid activities where:
1. The radiofrequency emission cannot comply with NZS 27721:1999 Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz; or
 2. The emission of electric and magnetic fields exceeds the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz-100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007); or
 3. The activity is coal fired electricity generation or is based on non-renewable resources; or

ENG-Y-P13. Provide for lawfully established existing hydro-electricity generation and associated activities located within the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:

1. Managing dust, odour, noise, vibration, access, debris on roads and illumination to maintain amenity values, particularly during the night time; and
2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Managing actual and potential effects on public health and safety.

ENG-Y-P14. Ensure the scale and location of any expansion of an existing hydro-electricity generation activity located within the rural production zone do not adversely affect local character or amenity by:

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

ENG-Y-P15.

1. Ensure consideration of the values, qualities and characteristics of overlays, scheduled sites and features when proposing new renewable electricity generation activities or undertaking significant upgrades to existing renewable electricity generation activities.
2. Provide for regionally significant infrastructure within overlay, scheduled site and feature where:
 - a. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site and feature; and
 - b. It is demonstrated through an options assessment that locating within the overlay, scheduled site and feature is the best practicable option, having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, compared to other alternative options.

Rules

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

- ENG-Y - Table 1 - Activities Rules; and
- ENG-Y - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply to this chapter.

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.

Note: Where sites and areas of significance to Māori are referred to it means the mapped extent of sites listed in [SCHED3](#) and [SCHED4](#).

Note: Where Heritage Buildings and Structures are referred to it means the [site or surroundings \(of any building or structure listed in \[SCHED1\]\(#\)\)](#)

ENG-Y - Table 1 - Activities Rules

	All zones and all precincts. All overlays, scheduled sites and features	
ENG-Y-R1.	The operation, maintenance, repair, replacement, minor upgrade , demolition or removal of existing buildings and structures of any existing renewable electricity generation activity.	
	Activity Status: PER Where: 1. Performance standards ENG-Y-S1 and ENG-Y-S2, and ENG-Y-S5 and ENG-Y-S6 are complied with.	Activity status where compliance is not achieved with ENG-Y-S1 or ENG-Y-S2: Refer to Table 2 Activity status where compliance is not achieved with ENG-Y-S5 or ENG-Y-S6: NC <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i>

	Rural production zone only. All overlays, scheduled sites and features	
ENG-Y-R2.	The operation, maintenance, repair, replacement and minor upgrade of an existing hydro-electricity generation activity identified on the Planning Maps as RPROZ-14 to RPROZ-17 including the demolition or removal of existing buildings and structures and the use of the surface of the water for hydroelectric activities.	
	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in ENG-Y-S5 through to ENG-Y-S7 is complied with. 	<p>Activity status where compliance is not achieved with ENG-Y-S5 or ENG-Y-S6: NC</p> <p>Activity status where compliance is not achieved with ENG-Y-S7: RDIS</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 ENG-Y – Table 2.</p>

	All zones and all precincts. All overlays, scheduled sites and features	
ENG-Y-R3.	Temporary Generators	
	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The temporary generator is associated with an energy activity and used for no longer than one (1) calendar month; or 2. The temporary generator is used during outages of electricity supply. 3. Compliance with performance standards in ENG-Y-S5 and ENG-Y-S6. 	<p>Activity status where compliance is not achieved with ENG-Y-R3.1 or ENG-Y-R3.2: DIS</p> <p>Activity status where compliance is not achieved with ENG-Y-S5 or ENG-Y-S6: NC</p> <p><i>Note: The use of generators and mobile equipment (including vehicles) for emergency purposes is permitted.</i></p> <p><i>Note: There are no noise rules applicable to temporary generators, however the duty to avoid unreasonable noise still applies.</i></p>

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R4.	Solar panels attached to an existing building .			
	PER	PER where attached to buildings: Outstanding natural landscapes, outstanding natural features, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character RDIS where attached to buildings: Heritage buildings and structures	PER	PER
	Where the activity is RDIS, the matters over which discretion is restricted are: (a) The location of the panels; and (b) The size of the panels; and (c) Actual or potential effects on the values associated with the scheduled historical heritage site or feature.		<i>Note: Refer to the Hapori whānui chapter for rules related to glare</i>	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
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		Māori and significant archaeological sites.		
ENGY-R5.	Freestanding solar panels up to and including 6 m ² in area per site			
	PER	RDIS	PER	PER
	<p>For PER Activities:</p> <p>Where:</p> <p>1. located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with.</p>		<p>Activity status where compliance with ENGY-R5.1 is not achieved: Refer ECO-R12</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The location and size of the panels; and</p> <p>(b) Actual or potential effects on the values associated with any overlay or scheduled site or feature.</p> <p><i>Note: Refer to the Hapori whānui chapter for rules related to glare</i></p>	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R6.	Freestanding solar panels greater than 6 m ² and up to 25 m ² in area per site			
	RDIS	RDIS	PER	RDIS
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENGY-R6.1 is not achieved: RDIS</p> <p><i>Note: Refer to the Hapori whānui chapter for rules related to glare</i></p>	

	<p>1. The minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone are complied with.</p>	<p>Where the activity is RDI S, the matters over which discretion is restricted are:</p> <ul style="list-style-type: none">(a) The extent and effect of non-compliance with any relevant rule or standard and any relevant matters of discretion in the infringed rule(s); and(b) The location and size of the panels; and(c) Actual or potential effects on the values associated with any precinct, overlay or scheduled site or feature
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R7.	Hydro-electricity generation of up to and including 5kW of electricity per site			
	PER	PER: Outstanding natural landscapes, heritage buildings and structures. RDI S: Outstanding natural features, sites and areas of significance to Māori , significant archaeological sites, outstanding natural character	PER	PER
	<p>For PER and RDI S Activities: Where:</p> <ol style="list-style-type: none"> located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and the maximum total gross floor area of all structures must not exceed 2 m². The performance standards in ENGY-S5 and ENGY-S6 are complied with. 		<p>Activity status where compliance with ENGY-R7.1 is not achieved: Refer ECO-R12</p> <p>Activity status where ENGY-R7.2 is not achieved: RDI S</p> <p>Activity status where compliance is not achieved with ENGY-S5 and ENGY-S6: NC</p> <p>Where the activity is RDI S, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> The effects at the time of construction; and The benefits from the generation of energy from using a renewable resource; and Actual or potential effects on the values associated with any overlay or scheduled site or feature; and Effects on the natural character of the coastline or water body and its margins; and 	

		<p>(e) The extent to which re-planting will assist in mitigating the adverse effects associated with any earthworks and vegetation clearance.</p> <p>Note: Resource Consent from Waikato Regional Council or Manawātū-Whanganui Regional Council may be required</p> <p>Note: All structures must also comply with NATC-R2.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R8.	Hydro electricity generation activities with an output of more than 5kW and up to 20kW of electricity per site			
	RDIS	<p>RDIS: Outstanding natural landscapes</p> <p>DIS: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character</p> <p>NC: Outstanding natural features</p>	RDIS	RDIS
	<p>For RDIS and DIS activities:</p> <p>Where:</p> <p>1. The performance standards in ENG-Y-S5 and ENG-Y-S6 are complied with.</p>		<p>Activity status where compliance with ENG-Y-S5 and ENG-Y-S6 is not achieved: NC</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The effects at the time of construction; and</p> <p>(b) The benefits from the generation of energy from using a renewable resource; and</p>	

		<p>(c) The effect on the provisions of the Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River); and</p> <p>(d) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and</p> <p>(e) Effects on the natural character of the coastline or water body and its margins; and</p> <p>(f) The extent to which re-planting will assist in mitigating the adverse effects associated with any earthworks and vegetation clearance.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R9.	One wind turbine with a rated capacity of up to and including 5kW per site , except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding			
	PER	<p>PER: Outstanding natural landscapes</p> <p>DIS: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character</p> <p>NC: Outstanding natural features</p>	PER	PER
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENG-Y-R9.1 is not achieved: Refer ECO-R12</p> <p>Activity status where compliance is not achieved with ENG-Y-S1 or ENG-Y-S2: Refer to Table 2</p>	

	<ol style="list-style-type: none"> located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and All of the performance standards in Table 2 are complied with. <p>For DIS Activities:</p> <ol style="list-style-type: none"> The performance standards in ENGY-S5 or ENGY-S6 are complied with. 	<p>Activity status where compliance with ENGY-S3 to ENGY-S4 is not achieved: RDIS</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in ENGY – Table 2.</p> <p>Activity status where compliance ENGY-S5 or ENGY-S6 is not achieved: NC</p> <p><i>Note: Where the number of wind turbines exceed the number provided for in this rule, the relevant rule is ENGY-R11.</i></p> <p>Note: In PREC3 see the Te Kūiti Aerodrome flightpath height restrictions – ENGY-R16.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R10.	Renewable energy exploration activities			
	RDIS	<p>RDIS: Outstanding natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites</p> <p>NC: Outstanding natural features</p>	PER	<p>RDIS: Significant natural area (local significance), Coastal environment, karst overlay, landscapes of high amenity value</p> <p>RDIS: Significant natural area (regional, national and international significance), high/very high natural character</p>
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENGY-R10.1 through to ENGY-R10.4 is not achieved: RDIS</p> <p>Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC</p>	

	<ol style="list-style-type: none"> 1. The activity must occur for no more than five (5) years from the date the equipment is erected; and 2. The person responsible for erecting the equipment is required to notify the Council in writing as to the date the equipment is erected; and 3. The equipment must be removed no later than two months after the monitoring has finished on the site; and 4. Any wind monitoring mast must be set back a distance of at least ten (10) times the mast's height, as measured from ground level, from the boundary of the holding; and 5. The performance standards in ENGY-S5 and ENGY-S6 are complied with. <p>For RDIS Activities: Where:</p> <ol style="list-style-type: none"> 6. The performance standards in ENGY-S5 and ENGY-S6 are complied with. 	<p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> (a) The effects at the time of construction; and (b) How the activity and any required structures or connections affect anticipated levels of amenity including noise, visual effects, operating hours and traffic generation; and (c) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and (d) The type, scale and form of any wind monitoring mast; and (e) The location of the equipment and/or wind monitoring mast on the site; and (f) The benefits from locating the equipment and/or wind monitoring mast in the proposed location; and (g) Any technological constraints.
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R11.	New renewable electricity generation activities including community scale renewable electricity activities not provided for elsewhere in Table 1			
	DIS	NC: Outstanding natural landscapes, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites	DIS: General rural, industrial, rural production zones and PREC3	DIS: Karst overlay, landscapes of high amenity value, significant natural areas (local significance), coastal environment. NC: High/very high natural character, significant natural

		PR: Outstanding natural features, outstanding natural character		areas (regional, national or international significance)
	For DIS Activities: Where: 1. The performance standards in ENGY-S5 or ENGY-S6 are complied with.		Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R12.	Biogas produced by anaerobic fermentation of waste			
	NC	PER: Outstanding natural landscapes NC: Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites	PER: General rural, rural production and industrial zones NC: PREC3	PER: Coastal environment, karst overlay, high/very high natural character, landscapes of high amenity value NC: Significant natural area
	For PER Activities: Where: 1. The waste must not exceed 4 m ³ per day; and 2. The waste must not be stored and fermented within 250 m of the boundary of a residential, future urban, rural lifestyle, commercial, Māori purpose , tourism, settlement, open space or natural open space zone; and 3. The performance standards in ENGY-S5 and ENGY-S6 are complied with.		Activity status where compliance with ENGY-R12.1 or ENGY-R12.2 is not achieved: RDIS Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC Where the activity is RDIS, the matters over which discretion is restricted are: (a) The effects at the time of construction; and (b) The potential for reverse sensitivity effects; and	

		<p>(c) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and</p> <p>(d) How the generation activity and any required structures or connections affect anticipated levels of amenity; and</p> <p>(e) The volume and type of waste, and the potential for effects; and</p> <p>(f) How the waste is managed; and</p> <p>(g) Location of the waste and associated plant on the site; and</p> <p>(h) The benefits obtained from using the waste.</p> <p><i>Note: Resource Consent from Waikato Regional Council or Manawatū-Whanganui Regional Council may be required.</i></p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R13.	Co-generation plants and waste to energy plants			
	NC	NC	DIS: General rural, rural production and industrial zones NC: PREC3	NC
	For DIS Activities: Where: 1. The performance standards in ENGY-S5 or ENGY-S6 are complied with.		Activity status where compliance with ENGY-S5 or ENGY-S6 is not achieved: NC	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY- R14.	Coal Fired Electricity Generation and energy generated from non-renewable sources not listed in Table 1			
	NC	NC: Outstanding natural landscapes, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites PR: Outstanding natural features, outstanding natural character	NC	NC

	All zones and all precincts. All overlays, scheduled sites and features
ENGY-R15.	Erection of any new electricity lines and associated support structures , except where provided for as part of ENGY-S7
	Refer to the network utilities chapter .
ENGY-R16.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps
	PR

ENGY - Table 2 – Performance Standards

ENGY-S1.	Structures, earthworks and removal of indigenous vegetation adjacent to water bodies, the open coast, Kawhia Harbour or a river in the coastal marine area	
1. The rules in the coastal environment chapter and in the natural character chapter apply to activities adjacent to the coastline and water bodies.		
ENGY-S2.	Earthworks associated with an energy activity	
1. In outstanding natural landscapes, outstanding natural features, outstanding natural character, karst overlay, landscapes of high amenity value, high/very high natural character NFL-R8 applies; and		
2. In the coastal environment CE-R8 applies; and		
3. In significant natural areas, significant archaeological sites, heritage buildings, and structures and sites and area of significance to Māori, earthworks associated with an energy activity are DIS activities;		
4. In natural hazard areas within the coastal environment, NH-R6 applies; and		
5. In all other situations, refer to the rules in the earthworks chapter.		
ENGY-S3.	One wind turbine per site outside of the industrial, general rural, rural production zones & PREC3	
1. Where located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and		
2. The maximum height as measured from ground level, of any wind turbine (as measured from the top of the mast/support structure) must be no more than 2 m above the maximum height permitted in the relevant zone or overlay (as applicable), with a maximum rotor diameter of 2 m; and		
3. The maximum diameter of any support structure must not exceed 200 mm; and		
4. Where attached to a building, the structure must not protrude more than 1 m above the highest point of the roof; and		
5. All parts of the wind turbine must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone; and		
Matters over which discretion is restricted:		
(a) The scale of the wind turbine and the actual and potential effects on amenity; and		
(b) The location of the wind turbine within the site; and		
(c) The proximity of the wind turbine to sensitive activities; and		
(d) The proximity of the wind turbine to any significant natural areas and whether there are any effects associated with this proximity; and		
(e) The level of noise and any special noise characteristics, and the potential to affect sensitive activities; and		
(f) The benefits obtained from the use and development of renewable energy; and		
(g) The effects at the time of construction; and		

6. Noise levels must be compliant with the recommended noise limits in NZS6808:2010 "Acoustics – Wind farm noise" .	(h) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and (i) Any technical difficulties associated with locating a wind turbine on the site.
ENGY-S4.	Up to two wind turbines per holding within the industrial, general rural, rural production zones & PREC3
1. Where located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and 2. The maximum height as measured from ground level, of any wind turbine (as measured from the top of the mast/support structure) must be no more than 5 m above the maximum height permitted in the relevant zone or overlay (as applicable), with a maximum rotor diameter of 2.5 m; and 3. Where attached to a building, the structure must not protrude more than 2 m above the highest point of the roof; and 4. All parts of the wind turbine must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone, except where ENGY-S4.6 applies; and 5. Were the site adjoins a residential, future urban, rural lifestyle, commercial, Māori purpose, tourism, settlement, open space or natural open space zone, the minimum setback from internal boundaries must be at least 30 m; and 6. Noise levels must be compliant with the recommended noise limits in NZS6808:2010 "Acoustics – Wind farm noise" .	Matters over which discretion is restricted: (a) The scale of the wind turbine(s) and the actual and potential effects on amenity; and (b) The location of the wind turbine(s) within the site; and (c) The proximity of the wind turbine(s) to sensitive activities; and (d) The proximity of the wind turbine(s) to any significant natural areas and whether there are any effects associated with this proximity; and (e) The level of noise and any special noise characteristics, and the potential to affect sensitive activities; and (f) The benefits obtained from the use and development of renewable energy; and (g) The effects at the time of construction; and (h) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and (i) Any technical difficulties associated with locating a wind turbine(s) on the site.
ENGY-S5. Emission of radiofrequency fields	
1. The radiofrequency emission complies with NZS 27721:1999 Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz.	Activity status where compliance is not achieved: NC

ENGY-S6. Emission of electric and magnetic fields		
1.	The emission of electric and magnetic fields must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz-100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).	Activity status where compliance is not achieved: NC
Rural Production Zone Only		
ENGY-S7.	The operation, maintenance, repair and minor upgrade of existing hydro-electricity generation infrastructure identified on the Planning Maps as RPROZ-14 to RPROZ-17 including the demolition and removal of existing buildings and structures and the use of the surface of the water for hydroelectric activities.	
Buildings and structures <ol style="list-style-type: none"> 1. An alteration or extension to any existing building must be no greater than 50 m² in gross floor area; and 2. Any new building must be no greater than 100 m² in gross floor area; and 3. Structures must not exceed 10 m in height as measured from ground level. Where the structure is proposed to be erected on a dam or spillway structure, the maximum height must be measured from the top of the existing dam or spillway; and 4. Any new building or building extension must be setback 10 m from internal site boundaries; and 5. For Mokauiti Hydro Power Station (RPROZ-15), any new structure must be setback 20 m from the boundary with the adjacent urupā; and 6. The total building coverage on a site must not exceed 30% of the net site area; and 7. New overhead and underground lines, operation, maintenance, upgrading and extension in length of lines conveying electricity and their support poles, at a voltage up to and including 110 kV are permitted provided that no support pole is 		Matters over which discretion is restricted: <ol style="list-style-type: none"> (a) Visual effects including the bulk, location and scale of structures, signs, support poles or fences on adjoining properties and on rural character; and (b) Whether alternative options are proposed to preserve the amenity, character and values of the surrounding environment; and (c) Effects on the natural character of the river and its margins; and (d) For RPROZ-15, any actual and potential effects on the adjoining urupa; and (e) The extent of the activity and the ability to internalise adverse effects; and (f) The location, timing, design and density of earthworks and vegetation removal activities and any proposed rehabilitation measures; and (g) Measures taken during earthworks to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability, methods of sediment retention and sediment runoff control to be adopted; and

<p>greater than 25 m in height as measured from ground level; and</p> <p>8. Any temporary building incidental to a construction or demolition project must be removed within two months of the completion of the project; and</p> <p>9. Security fencing must be no higher than 3 m above ground level. Where a fence is proposed to be located on a dam or spillway structure, the maximum height must be measured from the top of the existing dam or spillway structure;</p> <p>AND</p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	<p>(h) Effects on riparian margins or areas of indigenous vegetation and the extent to which any proposed re-vegetation mitigates or offsets effects on identified significant natural areas and/or the natural character of rivers and their margins.</p>
<p>Signs</p> <p>10. Signs must only relate to hydro-electricity generation activities undertaken on-site or health and safety or be for the direction and control of traffic or pedestrians; and</p> <p>11. No individual sign may exceed 2 m², with the total area of signs per site being no more than 8 m²; and</p> <p>12. The maximum height of any freestanding sign must not exceed 10 m as measured from ground level; and</p> <p>13. Signs must not be placed so that they block sight distances at entranceways and must be no closer than 20 m from an intersection; and</p> <p>14. ENGY-S7.10 – S7.13 apply in place of the provisions of the signs chapter;</p> <p>AND</p>	
<p>Noise and light</p> <p>15. Noise – see NOISE-R1; and</p> <p>16. Light– see LIGHT-R1;</p> <p>AND</p>	
<p>Earthworks and vegetation clearance</p> <p>17. Earthworks must not exceed a total volume of 1,000 m³ in a single activity or in cumulative activities in any one calendar year, provided that this rule does not</p>	

<p>apply to earthworks incidental to an approved resource consent or building consent; and</p> <p>18. No earthworks shall occur within 20 m of the urupā that adjoins Mokauiti Hydro Power Station (RPROZ-15); and</p> <p>19. ENGY-S7.17 – S7.18 apply in place of the provisions of the earthworks chapter; and</p> <p>20. No more than 50 m² of indigenous vegetation shall be cleared from any identified significant natural area across a rural production zone in any one calendar year. This rule applies in place of the provisions of the ecosystems and indigenous biodiversity chapter;</p> <p>AND</p>	
<p>High trip generating activities</p> <p>21. See rule RPROZ-R17;</p> <p>AND</p>	
<p>Screening outdoor storage</p> <p>22. Any outdoor storage area visible from an adjacent residential property or road must be screened from the adjacent residential property or road by solid walls or fences not less than 1.8 m in height or landscaping with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from any shared internal boundary or road boundary.</p>	

Contaminated Land | Te One Hawa

Overview

It is important that land in the district that is contaminated or potentially contaminated is investigated and managed as required. This is to ensure that people are not exposed to substances that may endanger their health, and that property is not unduly affected by issues such as corrosion, which may threaten buildings and limit land use options.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provides a national standard for activities on land where soil is known to be or may be contaminated in such a way as to be a risk to human health. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated, or the contaminants are contained to make the area safe for human use. The NESCS applies when people want to:

- Remove a fuel storage system or replace it; and
- Sample soils; and
- Disturb soils; and
- Change land use or subdivide.

The methods to establish whether land is contaminated or potentially contaminated include determining whether an activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the property. The HAIL list of activities can be found on the Ministry for the Environment website.

Under the NESCS, regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. District councils are responsible for applying and enforcing the provisions of the NESCS. To assist with identifying land that is contaminated or potentially contaminated, the Waikato Regional Council and Manawātū-Whanganui Regional Council both maintain databases of sites where HAIL activities are or have been carried out. Waitomo District Council has access to this information. If you are wanting to undertake an activity on contaminated or potentially contaminated land, you may require a resource consent under the NESCS.

Objective

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

- CL-O1. Ensure risks to human health, land and property from contaminated land are appropriately managed.

Policies

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

- CL-P1. Ensure contaminated land or potentially contaminated land is suitable for its intended use by enabling site investigations and requiring remediation or

Proposed Waitomo District Plan

Part 2 – District-Wide Matters – Hazards and Risks – Contaminated Land

management as necessary, at the time of land use change, subdivision or re-development.

- CL-P2. Ensure any unacceptable risk to human health and the environment posed by the subdivision, use, development or redevelopment of contaminated land is avoided, remedied or mitigated.

Rules

There are no rules in this plan with respect to contaminated land. The NESCS provides a complete framework of rules for managing subdivision, use, development or redevelopment of contaminated or potentially contaminated land. Under the provisions of the NESCS, a resource consent for these activities may be required. Waitomo District Council must enforce the NESCS pursuant to section 44A(8) of the RMA. Waitomo District Council, **the Waikato Regional Council and Manawatū-Whanganui Regional Council** hold information that may assist applicants in establishing whether/which activities on the HAIL list currently or have previously taken place in or on land.

Hazardous Substances | Ngā Matū Mōrearea

Overview

Hazardous substances include petroleum products, explosives and medical waste as well as industrial, agricultural and household chemicals. These substances pose potential threats to the health and safety of people and can have significant adverse effects on the environment.

There is a wide range of legislation and industry standards controlling hazardous substances. Principal amongst those is the Hazardous Substances and New Organisms Act 1996 (HSNO) and its associated regulations. These instruments contain the primary legislative requirements for managing the manufacture, import, transportation, storage, use and disposal of hazardous substances. HSNO is administered by the Ministry for the Environment and implemented by the Environmental Protection Authority (EPA), Ministry of Business, Innovation and Employment and WorkSafe New Zealand. WorkSafe New Zealand is also responsible for implementing the Health and Safety at Work Act 2015 (HSW).

The rules in this chapter seek to avoid any duplication of regulation with HSNO and HSW and only apply to significant hazardous facilities which are defined in this plan. Most existing significant hazardous facilities are located in the industrial and rural production zones and the aerodrome precinct (PREC3). The rules in this chapter provide an allowance for existing significant hazardous facilities, recognising both the role of HSNO and HSW in managing effects, and the significance of these industries to **the district's** economic and social wellbeing. Facilities which exceed this allowance will need to demonstrate through a resource consent process, that the expanded facility is appropriately located, designed and constructed. The increased sensitivity of the receiving environments in some zones means that no allowance has been made for the expansion of significant hazardous facilities in these locations.

A new significant hazardous facility proposing to locate within the district requires a resource consent. The level of consent is dependent on the zone the facility is proposing to locate within and whether the site is located within a coastal hazard or hazard area and/or close to a water body. New significant hazardous facilities within sensitive environments, or that could adversely affect sensitive environments are to be avoided.

Objective

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

HS-O1. To reduce levels of risk to people, property and the environment from significant hazardous facilities.

Policies

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

- HS-P1. Ensure that existing significant hazardous facilities proposing to significantly increase the use, storage or handling of hazardous substances have appropriately located, designed and constructed on-site facilities that are operated so that adverse effects on the environment and human health will be internalised within the site. Where internalisation of effects cannot be achieved, the facility must:
1. Avoid unacceptable risk; and
 2. Minimise residual risk to the extent that is reasonably practicable.
- HS-P2. Outside of the industrial and rural production zones and the aerodrome precinct (PREC3), new significant hazardous facilities may only be considered where:
1. Robust protection measures are proposed to avoid adverse effects on the receiving environment; and
 2. There is an operational and functional need to locate in that area.
- HS-P3. Ensure new significant hazardous facilities avoid locating adjacent to water bodies or within hazard areas or coastal hazard areas unless there is a functional need for them to do so and they are able to demonstrate that they do not pose an increased risk to people, property and the environment.
- HS-P4. Where the location of new significant hazardous facilities is considered appropriate, ensure that the site layout, construction, operation, facilities and emergency management systems provided are designed to avoid accidental or unintentional release, or loss of control (such as spills and gas escapes) of hazardous substances.

Note: See the [national electricity and gas transmission chapter](#) for provisions relating to buildings storing hazardous substances within the national grid yard

Rules

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

- HS - Table 1 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

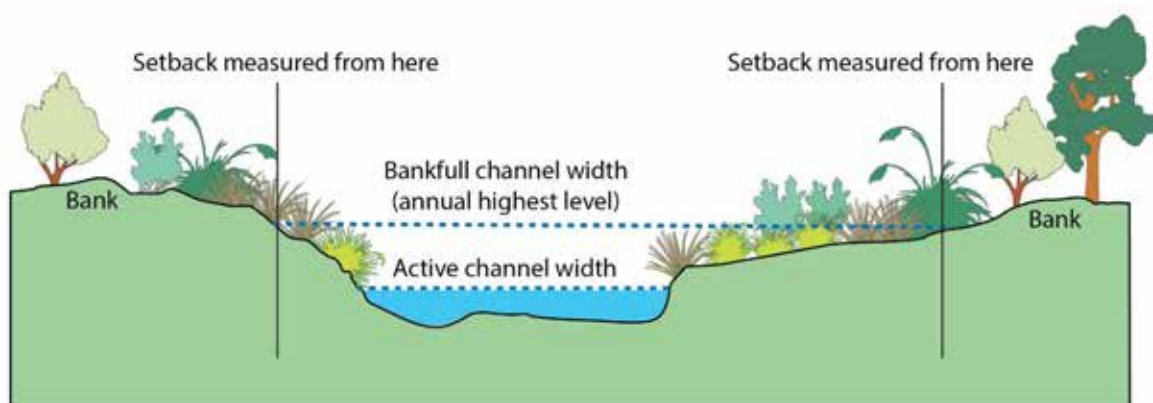
Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

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

HS - Table 1 - Activities Rules

The rules in this table apply to significant hazardous facilities in all zones		
HS-R1.	Significant hazardous facilities existing at 20 October 2022 which propose to increase the use, storage or handling of hazardous substances	
Industrial and rural production zones and aerodrome precinct (PREC3)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The use, storage, or handling of hazardous substances increases by no more than 20% from the base figure over a 5 year period; and 2. The use, storage, or handling of hazardous substances must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS – Figure 1). 	Activity status where compliance is not achieved: DIS
All other zones and precincts	Activity Status: DIS	Activity status where compliance is not achieved: N/A
HS-R2.	New significant hazardous facilities	
General rural zone, industrial and rural production zones and aerodrome precinct (PREC3)	<p>Activity Status: DIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The new significant hazardous facility is not located in a hazard area or a coastal hazard area; and 2. The new significant hazardous facility is not located within the national grid yard or within 60 m of the gas transmission network; and 3. The new significant hazardous facility must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS – Figure 1). 	Activity status where compliance is not achieved: NC
All other zones and precincts	Activity Status: NC	Activity status where compliance is not achieved: N/A

HS - Figure 1



For the purposes of HS-R1 and HS-R2, a water body is:

- (i) A perennial watercourse with a bankfull channel width of 2 m or more; or
- (ii) A lake equal to or larger than 0.25 ha.

Advice Notes

Calculation of the base figure

The base figure is the average volume of hazardous substances used, stored or handled on-site between 1 January 2020 and 31 December 2020.

Other legislation

The use, storage, handling and transportation of hazardous substances is also controlled by the Hazardous Substances and New Organisms Act 1996 and the Health and Safety at Work Act 2015. All premises using, storing, handling and transporting hazardous substances hazardous facilities must comply with this legislation.

HS – Table 2 - Performance Standards

There are no Performance Standards

Amateur Radio | Ngā runaruna o te ao irirangi

Overview

Amateur radio is a personal recreational and technical activity that encourages experimentation in radio technology and personal communications worldwide. While most communication today is via cellular network, amateur radio operators can play an important role in facilitating communications at the time of emergencies and/or when the cellular network is not available.

Amateur radio operators do not fit within the definition of network utility operators under the RMA, however their activities involve radio communications and their radio configurations involve masts, aerials and supporting structures.

Amateur radio structures are most commonly located in residential or rural areas, in the **backyard of an operator's property, but may also occur in commercial areas**. Both the location and scale of some configurations means that they may cause adverse amenity effects or may impact the character of surrounding neighbourhoods or the values of scheduled sites and features.

Objective

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

AR-O1. To recognise the benefits of amateur radio while managing the actual and potential adverse effects.

Policies

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

AR-P1. Provide for experimentation in radio communications by enabling different amateur radio configurations.

AR-P2. Manage the effects on adjacent properties from amateur radio configurations, whilst acknowledging that some amateur radio configurations will be of a different scale than other structures in the surrounding environment.

AR-P3. Protect the values of the precincts, overlays, scheduled sites and features from the adverse effects of amateur radio configurations.

AR-P4. Control the location of amateur radio configurations in proximity to Te Kūiti Aerodrome to ensure its safe operation.

Rules

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

- AR - Table 1 - Activities Rules; and
- AR - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Unless specifically stated in a rule, the provisions in Part 3 Area Specific Matters do not apply.

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.

Note: See the [Hapori whānui chapter](#) for provisions associated with domestic television aerials and satellite dishes.

AR - Table 1 - Activities Rules

AR-R1.	Amateur radio configuration	
General rural, residential, rural lifestyle, settlement & Māori purpose zones (excluding all precincts)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in AR - Table 2 are complied with; and 2. There is no more than one primary mast and one pedestal dish mounted antenna per site, provided that in the residential, rural lifestyle and settlement zones, dish mounted antennae are only permitted on sites greater than 750 m²; and 3. No part of any amateur radio configuration overhangs a legal boundary, road reserve, service lane or accessway; and 4. The amateur radio configuration adjoins a site which contains a scheduled heritage building or structure (SCHED1), sites and areas of significance to Māori (SCHED3, SCHED4), a significant archaeological site (SCHED2) or an outstanding natural feature (SCHED8), it must be located at least 20 m from the common boundary. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in AR - Table 2; and (b) The cumulative effect of the number of structures on the site; and (c) Effects on the values of any scheduled heritage building or structure, sites and areas of significance to Māori, significant archaeological site or outstanding natural feature; and (d) The extent to which the structure obstructs access to any site; and (e) The location, size and scale of the structure in relation to the size of the site; and (f) The effect on the amenity values and character of the surrounding area and properties.

All other zones, all precincts Significant natural areas, coastal environment, karst overlay, landscapes of high amenity value, high/very high natural character	Activity Status: DIS	Activity status where compliance is not achieved: N/A
Outstanding natural landscapes, outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Activity Status: NC	Activity status where compliance is not achieved: N/A
AR-R2.	Amateur radio activities not otherwise listed in AR - Table 1	
All zones, all precincts, all overlays, scheduled sites and features	Activity status: NC	Activity status where compliance is not achieved: N/A

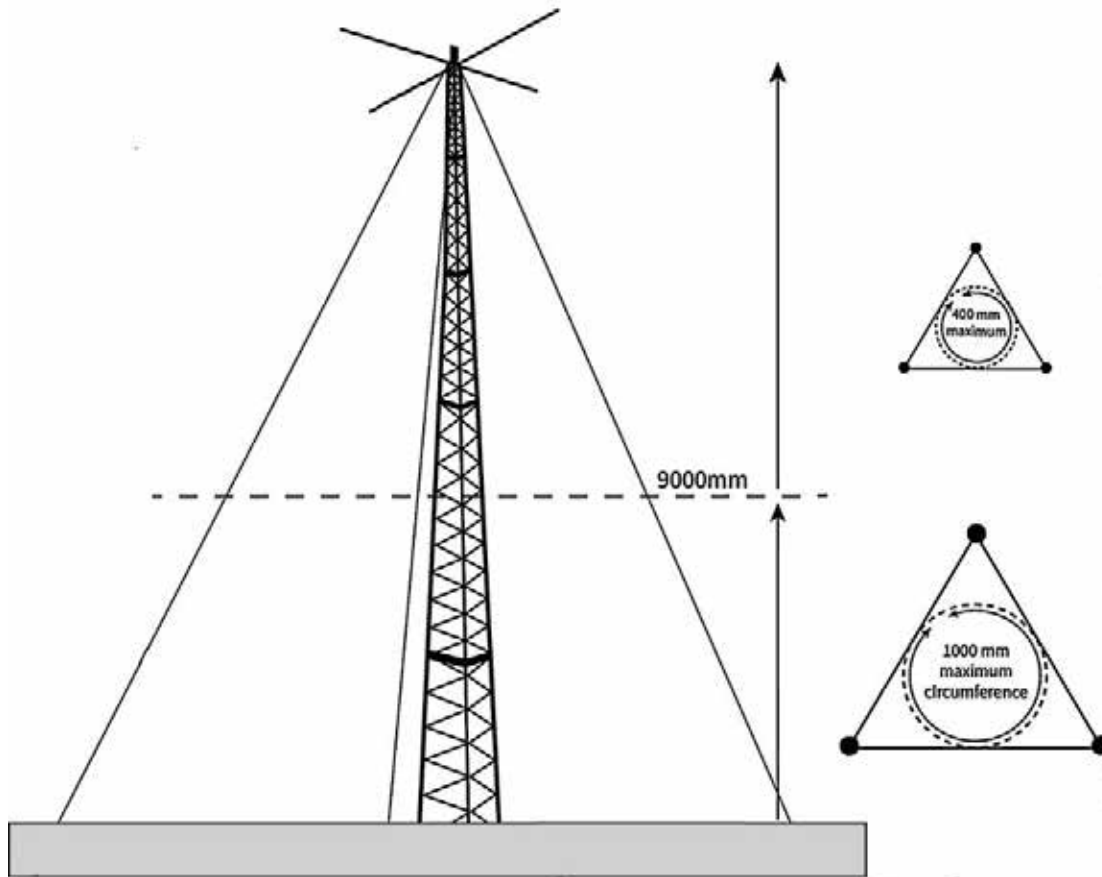
AR-R3.	Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps	
All zones, all precincts, all overlays, scheduled sites and features	<p>Activity status: PR</p> <p>Where</p> <ol style="list-style-type: none"> The amateur radio configuration cannot comply with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps. 	Activity status where compliance is not achieved: N/A

AR - Table 2 - Performance Standards

The rules in this table apply to the general rural, residential, rural lifestyle, settlement & Māori purpose zones only		
AR-S1.	Height in relation to boundary and minimum setback from boundaries	
1. The primary mast and the pedestal dish mounted antennae must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone.	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location of the structures and any alternative options; and Effects on the amenity values and character of the surrounding area; and The finish of the materials; and Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule. 	
AR-S2.	Height of the primary mast	
Rural lifestyle, settlement, Māori purpose & residential zones	<ol style="list-style-type: none"> The maximum height as measured from ground level, of a ground mounted primary mast must be no more than 20 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height; and A primary mast attached to a building must not exceed the permitted height for the relevant zone by more than 5 m, except for a simple whip antenna or discone antenna which may 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location of the structures and any alternative options; and Effects on the amenity values and character of the surrounding area; and The finish of the materials; and Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule.

	extend no more than 3.2 m above this height.	
General rural zone	<p>3. The maximum height as measured from ground level, of a ground mounted primary mast must be no more than 25 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height; and</p> <p>4. A primary mast attached to a building must not exceed the permitted height for the relevant zone by more than 5 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height.</p>	
AR-S3.	Dimensions of the primary mast	
	<p>1. A primary mast must have a maximum inscribed circle of no more than 1 m below 9 m in height as measured from ground level; and</p> <p>2. Above 9 m as measured from ground level:</p> <p>(i) A primary guyed lattice mast must have a maximum inscribed circle of no more than 0.4 m; and</p> <p>(ii) A primary self-supporting lattice mast must fit into a tapering envelope with a maximum inscribed circle of 660 mm above 9 m and 420 mm at 20 m; and</p> <p>(iii) A primary self-supporting tubular mast must fit into a tapering envelope with a maximum inscribed circle of 230 mm at 9 m and 115 mm at 20 m.</p> <p><i>Note: See Figure – AR 1</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) The location of the structures and any alternative options; and</p> <p>(b) Effects on the amenity values and character of the surrounding area; and</p> <p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment.</p>

Figure – AR 1



AR-S4.	Support structures	
<ol style="list-style-type: none"> 1. A primary mast must have no more than 7 subsidiary poles which are no more than 12 m in height as measured from ground level, with a maximum diameter of 115 mm; and 2. One subsidiary pole may be an HF vertical antenna; and 3. Any guy wires must be no more than 12 mm in diameter. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location of the structures and any alternative options; and (b) Effects on the amenity values and character of the surrounding area; and (c) The finish of the materials; and (d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and (e) Cumulative effects associated with multiple devices and structures. 	
AR-S5.	Antenna	
<ol style="list-style-type: none"> 1. Except in the general rural zone, a ground-mounted dish must be located behind the rear building line of a residential unit or building as viewed from a road, and be pivoted less than 3 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location of the structures and any alternative options; and (b) Effects on the amenity values and character of the surrounding area; and 	

<p>m above the ground, with the diameter of the dish being no more than 2.5 m; or</p> <p>2. In the general rural zone, a ground-mounted dish must be located behind the rear building line of a residential unit or building as viewed from a road, and be pivoted less than 4 m above the ground, with the diameter of the dish being no more than 5 m.</p>	<p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and</p> <p>(e) Cumulative effects associated with multiple devices and structures; and</p> <p>(f) The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule.</p>
AR-S6.	Number, type and dimensions of aerials
<p>1. There must be no more than four aerials attached to ground mounted support structures per site; and</p> <p>2. There must be no more than four aerials attached to buildings per site; and</p> <p>3. Any element making up an aerial must not exceed 80 mm in diameter; and</p> <p>4. For horizontal HF yagi aerials, the maximum element length must not exceed 14.9 m, and the maximum boom length must not exceed 13 m; and</p> <p>5. For whip aerials, the maximum length must not exceed 3.5 m in height above the maximum height for the support structure.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The location of the structures and any alternative options; and</p> <p>(b) Effects on the amenity values and character of the surrounding area; and</p> <p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and</p> <p>(e) Cumulative effects associated with multiple devices and structures.</p>
AR-S7.	Radiofrequency
<p>1. The Amateur Radio Configuration must comply with NZS 2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure levels - 3kHz to 300 GHz.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The effects of non-compliance with the standards in NZS 2772.1-1999 on the health and safety of surrounding areas from any unsafe levels of radiofrequency or unsafe structures; and</p> <p>(b) The location of the structures in respect of neighbouring sites and the sensitivity of the receiving environment.</p>

Overview

Payment of a financial contribution can be required as a condition of resource consent. Financial contributions are used as a mechanism for achieving the plan's objectives. This plan uses financial contributions to build into the cost of the activity, development or subdivision any physical, environmental, or social costs that can be identified. It does this by ensuring that the developer avoids, remedies, mitigates or compensates for any adverse effects. In this plan, financial contributions are used for the following reasons:

- To provide a fair and reasonable contribution to finance the extension or development of bulk services or other infrastructure costs as a result of a development or subdivision; and
- Along with other provisions, to provide a mechanism to avoid, remedy, or mitigate and/or offset adverse effects on the environment; and
- For assessing and quantifying the likely adverse environmental effects of any development or subdivision undertaken in the Waitomo District on adjoining districts, cities, towns, and communities outside the district to enable contributions to be collected and made towards the mitigation of those adverse environmental effects.

Financial contributions are intended to offset the cost of future capital works and the cost of capital works already incurred where a development consumes that capacity, together with other related costs necessitated by new development or subdivision. Fees vary for different types of activities, development or subdivision.

A Heavy Vehicle Impact Fee may be required where heavy vehicle traffic movements from a development or activity are likely to cause an accelerated reduction in the useful life of the local road network that was not reasonably anticipated when the relevant roads were constructed.

Objectives

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

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|--------|---|
| FC-O1. | To ensure the adverse environmental effects on the district's network infrastructure are addressed in order to cater for the additional demand generated by new activities, development or subdivision. |
| FC-O2. | To ensure that there is a fair and reasonable share of the costs of upgrading or providing new infrastructure to meet demands generated by the activity, development or subdivision, and to enable future growth. |
| FC-O3. | To ensure the community is adequately protected from any unpredictable adverse effects of heavy vehicles on the district's road network due to land use activities. |

Policies

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

- FC-P1. The adverse environmental effects of development or subdivision that can be addressed by requiring a financial contribution, must be clearly identified at the planning and consenting stage of the development or subdivision.
- FC-P2. To ensure that planned growth is adequately financed by taking financial contributions in advance of Waitomo District Council undertaking infrastructure works for Council provided infrastructure.
- FC-P3. In circumstances where Waitomo District Council has already undertaken capital expenditure on its infrastructure networks, the capacity of those infrastructure networks which is consumed by a proposed development or subdivision must be recovered by taking financial contributions.
- FC-P4. Requiring payment of the total cost of new and off site infrastructure associated with the development or subdivision, including linkages, where the additional infrastructure is required solely to serve the proposed development or subdivision.
- FC-P5. Requiring a contribution towards any previous upgrading of off-site infrastructure when a new development or subdivision will utilise installed infrastructure capacity.
- FC-P6. Ensuring that the amount of financial contribution required reasonably reflects the cost of avoiding, remedying or mitigating the adverse effects.
- FC-P7. A heavy vehicle impact fee will be required where an activity or development creates adverse effects on the **district's road network which:**
1. Requires the construction or upgrading of any routes or other infrastructure for vehicles and pedestrians off the site; and/or
 2. Generates increases in heavy traffic which are likely to lead to infrastructure renewal being required earlier than planned in Waitomo District **Council's Long Term Plan.**

Rules

These rules apply to any activity requiring a resource consent under this plan, and for the avoidance of doubt, the rules also apply to any activity requiring a resource consent due to failing to comply with any performance standard of this plan.

These rules specifically relate to financial contributions towards the provision and future operation of network infrastructure owned and/or operated by Waitomo District Council, a Council Controlled Organisation or for roading and transport, and for any adjoining Territorial Local Authority and/or the New Zealand Transport Agency (NZTA).

Financial contributions must be determined in accordance with the provisions of these rules. All financial contribution calculations are exclusive of Goods and Service Tax (GST). GST will apply to all financial contributions at the prevailing rate.

Refer to the [subdivision chapter](#) for rules related to vesting land in Council ownership.

FC - Table 1 - Activities Rules

There are no Activities Rules

FC - Table 2 - Performance Standards

The following rules apply to all zones, all roads and new roads approved by resource consent	
FC-S1.	Reticulated water services

These rules apply to a development or subdivision that seeks to connect to Council's water reticulation services:

1. Council will require the payment of a financial contribution where a development or subdivision located outside Council's reticulated water supply area seeks to connect, and Council approves such a connection.
2. The maximum amount of financial contribution that will be taken for connection to a water supply system in a Council reticulated water supply area must be the greater of:

EITHER

$$\$A \times [B / [B + C]]$$

Where:

A = the replacement value of the specific water reticulation system after adjustment for capital expenditure in this activity at the time the connection is sought.

B = the number of residential equivalent connections to be added to that reticulation system where:

≤ 20mm nb diameter connection = 1 residential equivalent connection

32mm nb dia connection = 3 residential equivalent connections

50mm nb dia connection = 10 residential equivalent connections

75mm nb dia connection = 14 residential equivalent connections

100mm nb dia connection = 25 residential equivalent connections

150mm nb dia connection = 56 residential equivalent connections

C = the total number of existing connections to that water reticulation system.

OR

The total assessed cost of providing additional water supply capacity (including the additional cost of abstraction, treatment, storage and reticulation) in the water reticulation system needed to service the development or subdivision.

3. A financial contribution under Rules FC-R1.1 and FC-R1.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council reticulation system in a reticulated water supply area is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for reticulated water services will not be levied on development or subdivision located within Council's reticulated water supply areas.
3. The financial contributions for reticulated water services exclude the cost of connection to a water reticulation system or the cost of water reticulation within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council water reticulation system, it is deemed to be part of that water reticulation system.

FC-S2.	Wastewater collection services
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These rules apply to a development or subdivision that seeks to connect to Council's wastewater collection services:

1. Council will require the payment of a financial contribution where a development or subdivision located outside any of Council's reticulated wastewater service areas seeks to connect, subject to Council having wastewater disposal capacity.
2. The maximum amount of financial contribution that will be taken for connection to a service network system in a Council wastewater service area must be the greater of:

EITHER

$$\$A \times [B / [B + C]]$$

Where:

A = the replacement value of the specific wastewater system after adjustment for capital expenditure in this activity at the time the connection is sought.

B = the number of residential equivalent connections to be added to that reticulation system where:

≤ 100mm nb diameter gravity connection = 1 residential equivalent connection

150mm nb dia gravity connection = 3 residential equivalent connections

200 mm nb dia gravity connection = 10 residential equivalent connections

C = the total number of existing connections to that wastewater system.

OR

The total assessed cost of providing additional wastewater system capacity (including the additional cost of storage, pumping, transportation, processing and disposal) to the wastewater system needed to service the development or subdivision.

3. A financial contribution under Rules FC-R2.1 and FC-R2.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any Certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council wastewater system in a wastewater service area is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for wastewater services will not be levied on development or subdivision located within a Council wastewater service area.
3. The financial contributions for wastewater services exclude the cost of connection to a wastewater system or the cost of sewerage within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council wastewater system, it is deemed to be part of that wastewater system.

FC-S3.	Stormwater services
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These rules apply where a development or subdivision seeks to connect to Council's consented stormwater services:

1. Council will require the payment of a financial contribution where a development or subdivision located immediately outside any of Council's reticulated stormwater systems seeks to connect, subject to Council having the necessary resource consent to discharge.
2. The maximum amount of financial contribution that will be taken for connection to an existing Council stormwater system must be the greater of:

EITHER

$$\$I \times [J / [J + K]]$$

Where:

- I = the replacement value of the relevant stormwater system after adjustment for capital expenditure in this activity at the time the connection is sought; and
- J = the gross area of the development measured in hectares; and
- K = the gross area served by the relevant stormwater system excluding the activity.

OR

The total assessed cost of providing additional stormwater system capacity (including the additional cost of stormwater retention, pumping, transportation, processing, disposal and resource consent variation costs) needed to service the activity.

3. A financial contribution under Rules FC-R3.1 and FC-R3.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any Certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council stormwater system is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for stormwater services will not be levied on development or subdivision located within a Council stormwater service area.
3. The financial contributions for stormwater services exclude the cost of physical connection to a stormwater system or the cost of stormwater infrastructure within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council stormwater system, it is deemed to be part of that stormwater system.

FC-S4.	Road corridor services
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These rules apply to a development or subdivision that gives rise to increases in vehicular and/or pedestrian traffic:

1. Council will require as part of a subdivision or development the payment of a financial contribution. A financial contribution will be payable where infrastructure for vehicles and pedestrians that is located off the site of the activity that is subject to consent:
 - (a) Requires construction, upgrading or improving; and
 - (b) The funding of the required works has not, for any reason, been fully or adequately provided for by other funding instruments available to Council; and
 - (c) Where a development or subdivision will, or is likely to, adversely affect existing or proposed public roads managed by a road controlling authority other than Council, financial contributions will **at Council's sole discretion and with appropriate justification, and in consultation with the appropriate road controlling authority**, be assessed and used as though the road controlling authority was Council.
2. The maximum amount of financial contribution for road corridor services that will be taken must be determined on the basis of the following formula:

$$\$F \times [G / [G + H]]$$

Where:

- F = the assessed total cost of constructing, upgrading and/or improving traffic and/or pedestrian routes (including land purchases) as a consequence of the development.

G = the average annual assessed volume of vehicular traffic measured in vehicles per day directly attributable to the development.

H = the average annual assessed volume of vehicular traffic measured in vehicles per day currently using routes that will require constructing, upgrading and/or improving as a consequence of a development.

3. A financial contribution under Rules FC-R4.1 and FC-R4.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent and prior to the activity commencing.

Notes:

1. The assessment of traffic volumes will be based on traffic models acceptable to Council following consultation with the relevant road controlling authority.
2. The financial contributions for Road Corridor Services exclude the cost of physical connection to traffic or pedestrian routes or the cost of providing traffic and pedestrian services within the development or subdivision.
3. **Once a development or subdivision is physically connected to the road controlling authority or Council's traffic or pedestrian routes, it is deemed to be part of those traffic or pedestrian routes.**

FC-S5.	Heavy Commercial Vehicle impact fee
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The following rules apply to development that gives rise to increases in heavy vehicle movements:

1. Council will require as part of a subdivision or land use consent the payment of a financial contribution where:
 - (a) Routes and other infrastructure for vehicles and pedestrians off the site subject to consent requires construction or upgrading; and/or
 - (b) Increases in heavy traffic are likely to lead to infrastructure renewal; and/or
 - (c) Construction or upgrades are required earlier than expected; and/or
 - (d) Where the effects of the development adversely affect public roads managed by other agencies, any financial contribution taken may be used by those agencies to upgrade those roads.

2. The maximum amount of financial contribution for traffic and pedestrian routes that will be taken must be determined on the basis of the following:

$$\$[(G)/[(F) + (G)]] \times (H)$$

Where:

F = the volume of vehicular traffic (measured in equivalent standard axles for a 40 year design period) currently using routes that will require construction, upgrading or earlier renewal as a consequence of the development.

G = the volume of heavy vehicular traffic (measured in equivalent standard axles for a 40 year design period) directly attributable to the development.

H = the cost of construction, upgrading or renewal of traffic and pedestrian routes as a consequence of the development.

3. A financial contribution under Rules FC-R5.1 and FC-R5.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent and prior to the activity commencing.

Note:

- 1. The fee will be charged as a lump sum where the activity is expected to continue for less than three years.
Where the development activity is expected to continue for longer than three years, the fee may by agreement be allocated on the basis of a unit rate related to the materials transported.*
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Overview

The Waitomo caves are one of New Zealand's most iconic and historic tourist attractions. Currently over 500,000 domestic and international visitors go to the Waitomo caves each year and this is likely to increase as tourism operators diversify their activities. The corridor along State Highway 37 between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district, was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement.

The 2019 Waitomo Caves Village Town Concept Plan was produced in consultation with the New Zealand Transport Agency, community members and tourism operators. This plan implements a number of the Waitomo Caves Village Town Concept Plan's components. Some of the key points identified include:

- Ensuring signs are of a design and scale that is appropriate in the surrounding environment.
- Consolidating the Waitomo Caves Village core and making sure that new zoning focuses activities as far as possible into the central village area, so this area becomes busy and interesting.
- Examining opportunities to avoid ribbon development, reduce the number of signs and other visual clutter along the State Highway corridors and at the gateway entrances so that their visual impact is less overwhelming, less cluttered and offers more helpful directional signage.

This precinct applies to land zoned general rural, Māori purpose, natural open space and settlement. The plan adds additional controls in respect of signs, relocated buildings and shipping containers. It also controls tourism facilities and retail activities within the general rural zone. In addition to managing signs, the precinct also protects the safe functioning and efficiency of the State Highway network by signalling that development outside of the identified tourism zones should only proceed in specified circumstances.

Objective

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

- PREC6-O1. Require land use activities and development to be appropriately located and of a density, scale and intensity that maintains the rural character along the amenity precinct corridors.

Policy

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

PREC6-P1. Within the amenity precinct:

1. Avoid ribbon development and visual clutter from signs along the State Highways; and
2. Only allow the development of tourism facilities where they are directly associated with an in-situ natural, cultural or heritage feature; and
3. Preserve the rural character of the entrance to Waitomo Caves Village; and
4. Maintain a delineation between the tourism zone boundaries and the surrounding rural areas; and
5. Encourage buildings which are located so that their visual prominence is minimised, particularly development and associated earthworks on prominent slopes, ridges and skylines; and
6. Avoid activities and development that adversely affect the health and well-being of the Upper Waipa River catchment.

Rules

The rules that directly apply to the amenity precinct are located in the:

- Relocated buildings and shipping containers chapter; and
- Signs chapter; and
- General rural zone.

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

Te Maika Precinct | Te Maika **whai tikanga**

Overview

Located on the southern entrance of Kawhia harbour, the Te Maika precinct is situated on the northern point of the Te Maika peninsula. The majority of the land is administered by the Te Maika Trust who exercise mana whenua and kaitiakitanga over the area on behalf **of the beneficial owner, the Māori King. The precinct contains a number of unique and significant natural features.** These include a significant natural area of national importance which is a wetland habitat for endangered coastal wetland plant species and migratory birds. There are two areas classed as outstanding natural features which comprise the Te Maika point jurassic sequence and fossil forest. The fossil forest is regarded as the second-best example in New Zealand after Curio Bay. These two features are fragile exposures of geological material which contain important biological and geological history. They are located on local purpose reserve, road reserve and within the coastal marine area. The rules in this plan protect these two sites from development and damage.

The area has a rich history, evidenced by the numerous archaeological sites in the precinct. It was an important food source, used seasonally for the gathering of kaimoana. At the beginning of the 18 century Te Maika was occupied by Ngati Toa led by the warrior chief Te Rauparaha. Eventually the Waikato-Maniapoto confederation of tribes under the leadership of Te Wherowhero, forced Te Rauparaha from the area. Ngati Toa retreated down the south coast, eventually occupying Kapiti Island. A few members of Ngati Toa remained living in the area and their descendants can claim an un-broken line of residence in Kawhia harbour since the arrival of the Tainui waka. Around 100 years ago Te Maika was placed under the guardianship of the Māori King to protect it from European acquisition.

Te Maika is remote and wild, offering visitors peaceful respite from the busy pace of life. There are no permanent residents and no reticulated electricity, water or wastewater services on the peninsula, although the cellular network coverage is good. While public roads have been surveyed, they remain unformed and there is no intention to provide physical road access to this community. The entire precinct is surrounded by public lands in the form of either esplanade reserves or public roads.

Te Maika has both natural open space and settlement zoning, the rules for this community are set out in this precinct chapter. The precinct is subject to the coastal environment overlay and is within an outstanding natural landscape. The harbour-side coastal margins are subject to coastal erosion which threatens the long-term viability of some of the dwellings located on the Te Maika Road reserve. Coastal hazard areas are not identified in Te Maika but specific provisions are contained in the coastal environments chapter which manage buildings located adjacent to the open coast and within Kawhia Harbour. Additionally, because the majority of the precinct has been partitioned or subdivided there are archaeological assessment rules in this chapter which apply to land use activities. The purpose of the precinct is to protect the isolated, wilderness character of the area and to

only provide limited opportunities for development where this can be offered at an appropriate scale, avoiding adverse effects on the environment.

Objective

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

PREC7-O1. Facilitate the management and development of the Te Maika precinct in a way that prioritises the implementation and creation of a low impact, self-sufficient, sustainable community which prioritises the well-being of the natural environment **and recognises the area's unique cultural heritage.**

Policies

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

- PREC7-P1. Preserve the natural character of the coastal environment and protect the values of the northern coastline outstanding natural landscape and the jurassic sequence and fossil forest outstanding natural features.
- PREC7-P2. Avoid new development that generates demand for wastewater disposal in a way and at a rate that adversely affects the health and well-being of wetland areas, coastal, ground and surface water.
- PREC7-P3. Avoid locating new development in any part of the precinct that would restrict public access to and along the coastal marine area.
- PREC7-P4. Avoid any further loss of wetland areas, and the associated habitats of indigenous and migratory species.
- PREC7-P5. Ensure new development does not compromise the remote, rugged character of the peninsula.
- PREC7-P6. Ensure the location, height, colour, number of structures and the type of activities permitted in the precinct are carefully managed to protect the values of this outstanding natural landscape.
- PREC7-P7. Recognise and provide for the relationship that mana whenua have with their ancestral sites, ancestral lands, water, wāhi tapu, and other taonga including the coastal environment.
- PREC7-P8. Avoid development unless it is confirmed that the building site does not contain an archaeological site or appropriate permission for development is secured from Heritage New Zealand Pouhere Taonga.
- PREC7-P9. Ensure new development is designed and located to manage significant risks from natural hazards.

Rules

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

- PREC7 - Table 1 - Activities Rules; and
- PREC7 - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

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

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

PREC7 - Table 1 – Activities Rules

PREC7-R1.	Residential units
PREC7-R2.	Papakāinga housing developments and tiny house developments
PREC7-R3.	Residential based visitor accommodation
PREC7-R4.	Tourism facilities and outdoor education activities
PREC7-R5.	Marae complex
PREC7-R6.	One accessory building per allotment
PREC7-R7.	Construction, addition and alteration of buildings for any permitted activity
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in PREC7 –Table 2 are complied with.</p> <p><i>Note: For any activity associated with an outstanding natural feature the rules are contained in the natural features and landscapes chapter.</i></p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</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 PREC7-S1 to PREC7-S6: RDIS</p> <p>Activity status where compliance is not achieved with PREC7-S7 to PREC7-S11: 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 PREC7 -Table 2.</p>	

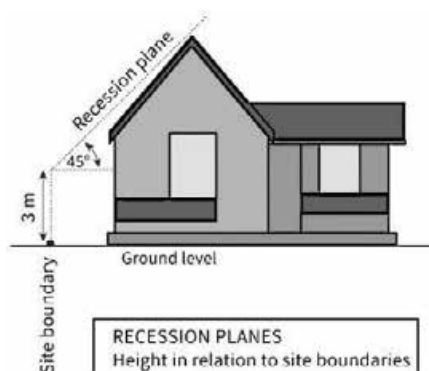
PREC7-R8.	Tanks
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The tank is less than or equal to 3.2 m in height as measured from ground level; and 2. The tank has a capacity less than or equal to 50,000 litres. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location, scale, materials and colour of the tank and whether these features detract from the outstanding natural feature or landscape; and (b) The extent to which the structure extends above a ridgeline or coastal headland or dominates an outstanding natural feature; and (c) Whether the structure is setback from riparian and coastal margins; and (d) The protection of existing vegetation and/or mitigation/enhancement planting to assist the visual integration; and (e) The location, timing of construction, design and density of soil disturbance and vegetation removal activities; and (f) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (g) Measures to avoid, remedy or mitigate adverse effects of the activity on the outstanding natural feature or landscape.
PREC7-R9.	Home businesses
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 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 developments where only people living on the site can be engaged in the home business; and 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 3. No outdoor storage associated with the home business is permitted; and 4. 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 	<p>Activity status where compliance is not achieved: DIS</p>

scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In PREC7 these activities are industrial activities.	
PREC7-R10.	Agricultural, pastoral and horticultural activities
Activity Status: PER Where: 1. Agricultural, pastoral and horticultural activities are permitted except for farm airstrips and farm helipads. <i>Note: For rules pertaining to earthworks and quarrying activities, vegetation removal and forestry see the natural features and landscapes chapter.</i>	Activity status where compliance is not achieved: DIS
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.	Activity status where compliance is not achieved: N/A
PREC7-R11.	Demolition and/or removal of buildings and structures
Activity Status: PER <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i>	Activity status where compliance is not achieved: N/A
PREC7-R12.	Industrial activities and activities not otherwise listed in Table 1
Activity status: DIS <i>Note: Relocated buildings and shipping containers are discretionary activities in PREC7. See the relocated buildings and shipping containers chapter.</i> <i>Note: For rules pertaining to earthworks and quarrying activities, vegetation removal and forestry, caves and sinkholes see the natural features and landscapes chapter.</i>	Activity status where compliance is not achieved: N/A

PREC7-S1.	Minimum setback from road boundaries	
<ol style="list-style-type: none"> 1. The minimum setback from road boundaries for any building adjacent to a formed or unformed road must be at least 3 m; and 2. For the avoidance of doubt a tiny house is a building for the purpose of this rule. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building; and (b) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (c) Effects on the precinct's character and amenity; and (d) Ability to soften the visual impact of the building, including retention of any existing mature trees and landscaping; and (e) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment. 	
PREC7-S2.	Minimum setback from internal boundaries	
<ol style="list-style-type: none"> 1. The minimum setback for buildings from internal boundaries must be 3 m, provided that the eaves of any building may encroach into the required setback by not more than 600 mm; and 2. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and 3. 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 4. For the avoidance of doubt a tiny house is a building for the purpose of this rule. <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building; and (b) The provision of mitigation measures which enhance the natural character of the open coast and harbour environment such as fencing and retiring coastal escarpment and/or wetland areas and ecological planting; and (c) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (d) Effects on the precinct's character and amenity; and (e) Ability to soften the visual impact of the building, including retention of any existing mature trees and landscaping. 	
PREC7-S3.	Landscaping of site boundaries	
<ol style="list-style-type: none"> 1. Where a tourism facility, outdoor education activity, home business or marae complex has an internal site boundary that adjoins a building housing a residential activity or a vacant site, the internal boundary of the site adjoining the residential activity or a vacant site must be landscaped to a minimum depth of 2 m, except for the required access point(s); and 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building or activity; and (b) The provision of mitigation measures which enhance the natural character of the open coast and harbour environment such as fencing and retiring coastal escarpment 	

<p>2. The landscaping must consist of a combination of indigenous groundcovers, shrubs and/or trees.</p>	<p>and/or wetland areas and ecological planting; and</p> <p>(c) Effects on the precinct's character and amenity; and</p> <p>(d) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.</p> <p>(e) Topographical and geographical features affecting the ability to provide the required landscaping.</p>
PREC7 – S4.	Height and Height in relation to boundary
<p>1. Structures must not exceed 5 m in height as measured from ground level; and</p> <p>2. 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 - PREC7 1.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(b) Visual effects including bulk, scale, materials, colour and location of the structure or materials; and</p> <p>(c) Effects on the precinct's character and amenity; and</p> <p>(d) Ability to soften the visual impact of the structure or materials, including retention of any existing mature trees and landscaping; and</p> <p>(e) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.</p>

Figure – PREC7 1 –Height in relation to boundary



PREC7-S5.	Residential based visitor accommodation
<p>1. The maximum occupancy must not exceed six guests at any one time.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) Effects on the precinct's character and amenity; and</p>

		<p>(b) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment; and</p> <p>(c) Potential reverse sensitivity effects on any adjoining activities.</p>
PREC7-S6.	Accessory buildings	
1. One accessory building is permitted per allotment which must not exceed 30 m ² gross floor area.		<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale, materials, colour and location of the building; and</p> <p>(b) Effects on the precinct's character and amenity; and</p> <p>(c) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.</p>
PREC7-S7.	Hours of operation	
1. A tourism facility or outdoor education activity must not operate outside the hours of Monday to Sunday 9am – 8pm.		Activity status where compliance is not achieved: DIS
PREC7-S8.	Building colour	
1. All buildings must be painted using the colours in Figure – PREC7 2 – Te Maika Precinct colour chart.		Activity status where compliance is not achieved: DIS
PREC7-S9.	Maximum building coverage	
1. Building coverage must not exceed 35% of the net site area.		Activity status where compliance is not achieved: DIS
PREC7-S10.	Maximum number of residential units	
<p>2. One residential unit per allotment;</p> <p>OR</p> <p>3. Papakāinga developments and tiny house developments of no more than 6 residential units/tiny houses, where 200 m² of net site area is provided per unit/tiny house.</p>		Activity status where compliance is not achieved: DIS
PREC7-S11.	Site requirements	
<p>1. No building may exceed 300 m² in size; and</p> <p>2. All developments must have an independent potable water supply for activities on the site; and</p>		Activity status where compliance is not achieved: DIS

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. No building (except accessory buildings) may be erected unless:
 - (a) A qualified archaeologist has provided written confirmation that the allotment does not contain an archaeological site or appropriate permission has been obtained from Heritage New Zealand; and
 - (b) A qualified geotechnical engineer has provided written confirmation that:
 - (i) The allotment is physically suitable for the proposed building and;
 - (ii) Suitable wastewater disposal can be achieved on site; and
 - (iii) The site of any wastewater or grey water disposal is at least 900 millimetres above ground water level.

Note: For wastewater disposal, preference is given to composting toilets or systems which do not require discharge of liquid waste.

Advice notes

Coastal environment

For setbacks from coastal margins, seawalls and coastal hazards, see the [coastal environment chapter](#).

Te Maika wetland significant natural area

See also the [ecosystems and indigenous biodiversity chapter](#).

Scheduled features and sites

For any activity associated with an outstanding natural feature, the rules are contained in the [natural features and landscapes chapter](#).

There are additional rules for earthworks and quarrying activities, vegetation removal and forestry, caves and sinkholes see the [natural features and landscapes chapter](#).

Accidental discovery protocol

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

- *Work must cease immediately at that place and within 20m around the site;*
- *Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;*
- *Notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (New Zealand Pouhere Taonga Act 2014);*

- If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded;
- Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed.

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

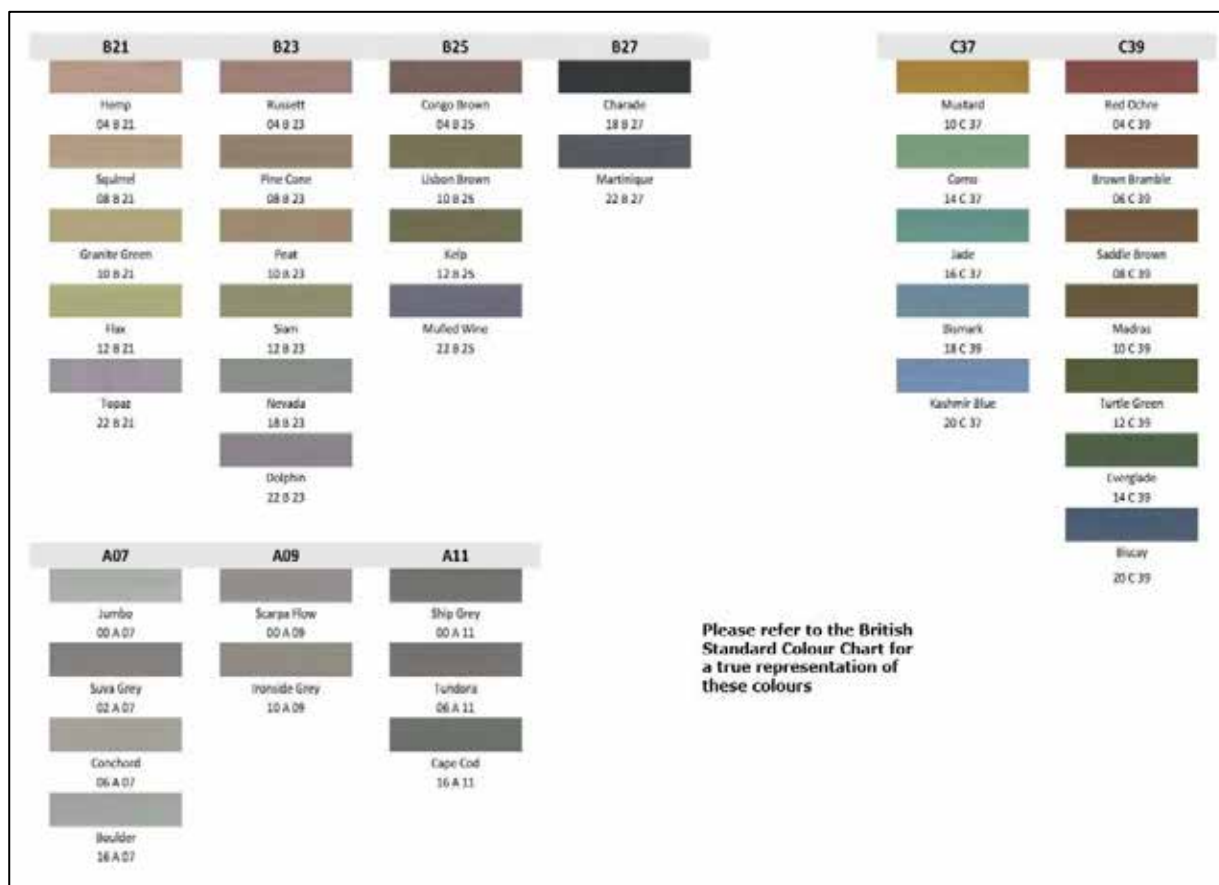
Contaminated land

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

Regional Council consents

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

Figure – PREC7 2 – Te Maika precinct colour chart



SCHED10 –Areas of Outstanding Natural Character |

Āhua tūturu

Unique Identifier	Map Ref	Site Name	Location	Site Type	Description of Values
ONC		Kawhia Harbour	South-western area of Kawhia Harbour	Area of outstanding natural character	The only portion of the district identified to have outstanding natural character relates to the portion of the coastal environment bordering the south side of the Kawhia harbour. Broadly speaking, this corresponds to the native bush-clad, remote and inaccessible, steep hill country with very little evidence of human modification, east of Urawhitiki Point. The integrity of the bold coastal landforms, the scale and quality of the bush features, the sense of remoteness of the area and the area's strong connection with the Kawhia harbour are key factors in the rating of the area as outstanding.

SCHED11 –Areas of High/Very High Natural Character | Ngā rohe hirahira o te Aotūroa

Unique Identifier	Map Ref	Site Name	Location	Site Type	Description of Values
VHNC		Tirua Point	Small portion of the coastline east of Tirua Point.	Area of very high natural character.	Terrestrial areas identified as having very high natural character are limited to a relatively small portion of the coastline east of Tirua Point. Values relate to the highly remote character, intactness of coastal vegetation and dominance of coastal processes within the area . The area's strong connection with the wild waters of the Tasman Sea , is also a key factor in the rating of the area as having very high natural character.
HNC		The western portion of Kawhia Harbour coastline: Matauwai Beach; Parihaki Dune; Marokopa Bush; Marokopa Dune; Tapirimoko Point and coast; Coastal dune, bush and cliff sequences between Ngarupupu Point and Awakino.	As mapped	Areas of high natural character.	Areas of high natural character comprise relatively intact native bush, dune or coastal cliff features that display natural processes (coastal erosion, tectonic processes, ecological succession) and convey a sense of remoteness. Typically, the high natural character areas are influenced to a relatively minor degree by agricultural land uses around their margins and /or tracks throughout the area.

Appendix 2 – Cultural Impact Assessment Process

The length of the cultural impact assessment will depend on the complexity of the project or activity. Waitomo District Council staff can assist with identifying the correct contact points and establishing the level of detail required. Waitomo District Council plans to undertake cultural impact assessments for some sites over the lifetime of this plan. This cultural impact assessment framework also applies to land within the Waikato-Tainui and Rereahu rohe.

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Tāngata Whenua Effects Assessment Report

The Tāngata Whenua Effects Assessment Report ('TWEAR') is a document that is prepared individually or collectively by tāngata whenua that may be potentially affected by a proposed activity, policy or process. Those involved in preparing the TWEAR should be resourced according to pre-agreed arrangements with the applicant (refer section 3.0 on consultation and engagement processes in the Maniapoto Environmental Management Plan 2018). Where a TWEAR is required, this process must include engagement and consultation with iwi, mana whenua or whare representatives and the TWEAR must be reviewed by the applicable representative(s) to ensure the cultural values of Maniapoto are included.

- APP-2.1 Executive Summary —a summary of key points raised in the TWEAR and should be written after the TWEAR is completed. The executive summary should be stand alone, contain all relevant information, and not require the reader to look anywhere else for information. The rest of the TWEAR should expand on the points raised in the executive **summary for the reader's** benefit and is supported by the summary following. (Length—ideally one page but up to two pages)
- APP-2.2 Summary of mitigation measures, suggested consent conditions, and other recommendations - summary of the '**mitigation measures and other recommendations**' section including the '**suggested consent conditions.**' (Length—will depend on the complexity of the TWEAR)
- APP-2.3 Contents page
- APP-2.4 Introduction - an introduction that lets the reader know what to expect in the TWEAR. This section should be written when the TWEAR is completed (Length—two to three paragraphs).
- APP-2.5 Methodology - describes the process used to develop the TWEAR. This may include:
- Consultation and engagement process

- Dates of any hui held, hui purpose, and key attendees (e.g. mana whenua, technical advisers, applicant, council, etc). If necessary and relevant, minutes can be added to the appendices and summarised in the TWEAR.
- Dates of any site visits.
- Interviews undertaken as part of process. If necessary and relevant, transcripts can be added to the appendices and summarised in the TWEAR.
- Written information provided and reviewed.
- Additional written or external information provided.
- **Technical advice, including kaupapa Māori or mātauranga Māori advice** relied upon to write the TWEAR.

- APP-2.6 Assumptions and limitations - a list of any assumptions made in preparing the TWEAR. Also list any limitations that there may be to the TWEAR.
- APP-2.7 Background - relevant background material that can help the reader understand the context for the TWEAR.
- APP-2.8 Applicant profile - who is the person(s) or entity/ies involved in the activity, policy or process that triggered the need for the TWEAR. Provide enough information that the reader is familiar with the applicant. This should be a summary only as a fuller profile is likely to appear in other documents that form part of the application.
- APP-2.9 Application and consents sought - a brief summary of the applications and consents sought including the application code, location, zoning, proposal, activity category, and relevant general information. This should be a summary only as a fuller explanation is likely to appear in other documents that form part of the application. If the matter the triggered the need for a TWEAR is a policy or process, amend this section accordingly to provide relevant summary information.
- APP-2.10 **Tāngata Whenua description - a description of tāngata/manua whenua that** are within the area potentially affected by the proposed activity, policy, process. This description should generally be limited to those groups involved in developing the TWEAR though the TWEAR may note that other **tāngata/manua whenua groups may have an interest in the potentially** affected area.
- APP-2.11 Historic or other connection - as part of this section, the TWEAR may also state any relevant connection to the potentially affected area, including historic and whakapapa connections.
- APP-2.12 Key issues - **a summary of key tāngata/manua whenua issues that have come** to light as a result of the methodology followed. These issues are in addition to any issues raised as part of assessing relevant documents. Issues may be wide ranging, are not necessarily limited to cultural issues, and include, but are not limited to economic, environmental and social issues.
- APP-2.13 Resource Management Act (Part 2) considerations - a consideration of the proposed activity, policy or process, against Part 2 matters of the RMA, particularly sections 6(e), 6(f), 7, and 8.

- APP-2.14 Assessment against He Mahere Taiao and Te Ture Whaimana o te Awa o Waikato - an assessment of the proposed activity, policy, or process against relevant sections of He Mahere Taiao (Maniapoto Environmental Plan 2018). Where the land is in the Waikato-Tainui rohe, assessment against Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan). Assessment against **any relevant Hapū Management Plans.**
- APP-2.15 Mitigation measures and other recommendations - as a result of the methodology followed and the assessment undertaken, list the mitigation measures and other recommendations suggested to avoid, manage, minimise, or offset the effects of the proposed application, policy or process. It is recommended that discussions occur with the applicant to, if possible, reach agreement on the suggested mitigation measures and recommendations. Headings for mitigation measures should follow the reference document (e.g. He Mahere Taiao) or the previous issues section.
- APP-2.16 Suggested consent conditions - this section may also contain suggested consent conditions or a note that consent conditions incorporate the mitigation measures and other recommendations.
- APP-2.17 Conclusion - summarises what was discussed in the TWEAR. (Length – two to three paragraphs).
- APP-2.18 References - a list of written material used in preparing this TWEAR. It is suggested that APA referencing is used to list the material.
- APP-2.19 Appendices - additional material that is referenced in the TWEAR and is relevant enough that the reader may be interested to read more but is not significant enough that the information appears in the main body of the TWEAR.

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Appendix 6 – Statutory Acknowledgement Areas – Maraeroa A & B Blocks

Attachment of information to the Waitomo District Plan in accordance with Sections 23 to 30 of the Maraeroa A and B Blocks Claims Settlement Act 2012. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 28(1) of the Maraeroa A and B Blocks Claims Settlement Act 2012 requires Council to record the statutory acknowledgement on all statutory plans.

Section 28(2) states that the information attached to a statutory plan must include the relevant provisions of the Act in full, the descriptions of the statutory areas, and the statements of association.

The statements of association are related to the settling group's particular cultural, spiritual, historical, and traditional association with identified areas.

For more information please refer to Maraeroa A and B Blocks Claims Settlement Act 2012.

Sections from the Maraeroa A and B Blocks Claims Settlement Act 2012

23 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

24 Purposes of statutory acknowledgement

- (1) The only purposes of a statutory acknowledgement are to
 - (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 25 to 27; and
 - (b) require relevant consent authorities to provide summaries of resource consent applications or, as the case requires, copies of notices of applications, to the trustees in accordance with section 29; and
 - (c) enable the trustees and any member of the settling group to cite a statutory acknowledgement as evidence of their association with the relevant statutory area, as provided for in section 30.
- (2) This section does not limit sections 33 to 35.

25 Relevant consent authorities to have regard to statutory acknowledgement

(1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in respect of an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area. (2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

26 Environment Court to have regard to statutory acknowledgement

(1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees have an interest greater than that of the general public in respect of proceedings relating to an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area.

(2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

27 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

(1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—

- (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
- (b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

(2) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

28 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, a relevant consent authority must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include the relevant provisions of this Act in full, the descriptions of the statutory areas, and the statements of association.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only, and the information is not—

- (a) part of the statutory plan, unless adopted by the relevant consent authority; or
- (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991, unless adopted as part of the statutory plan.

29 Provision of information about resource consent applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide to the trustees the following for each resource consent application for an activity within, adjacent to, or that directly affects a statutory area:
 - (a) a summary of the application, if the application is received by the consent authority; or
 - (b) a copy of the notice served under section 145(10) of the Resource Management Act 1991, if the application is served on the consent authority.
- (2) The information provided under subsection (1)(a) must be —
 - (a) the same as would be given to an affected person under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority; and
 - (b) provided—
 - (i) as soon as is reasonably practicable after an application is received by the relevant consent authority; and
 - (ii) before the relevant consent authority decides under section 95 of that Act whether to notify the application.
- (3) A copy of the notice given under subsection (1)(b) must be provided not later than 10 business days after the day on which the consent authority receives the notice.
- (4) The trustees may, by notice in writing to a relevant consent authority, —
 - (a) waive their rights to be notified under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (5) This section does not affect the obligation of a relevant consent authority to decide, —
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

30 Use of statutory acknowledgement

The trustees and any member of the settling group may, as evidence of their association with a statutory area, cite the statutory acknowledgement that relates to that area in

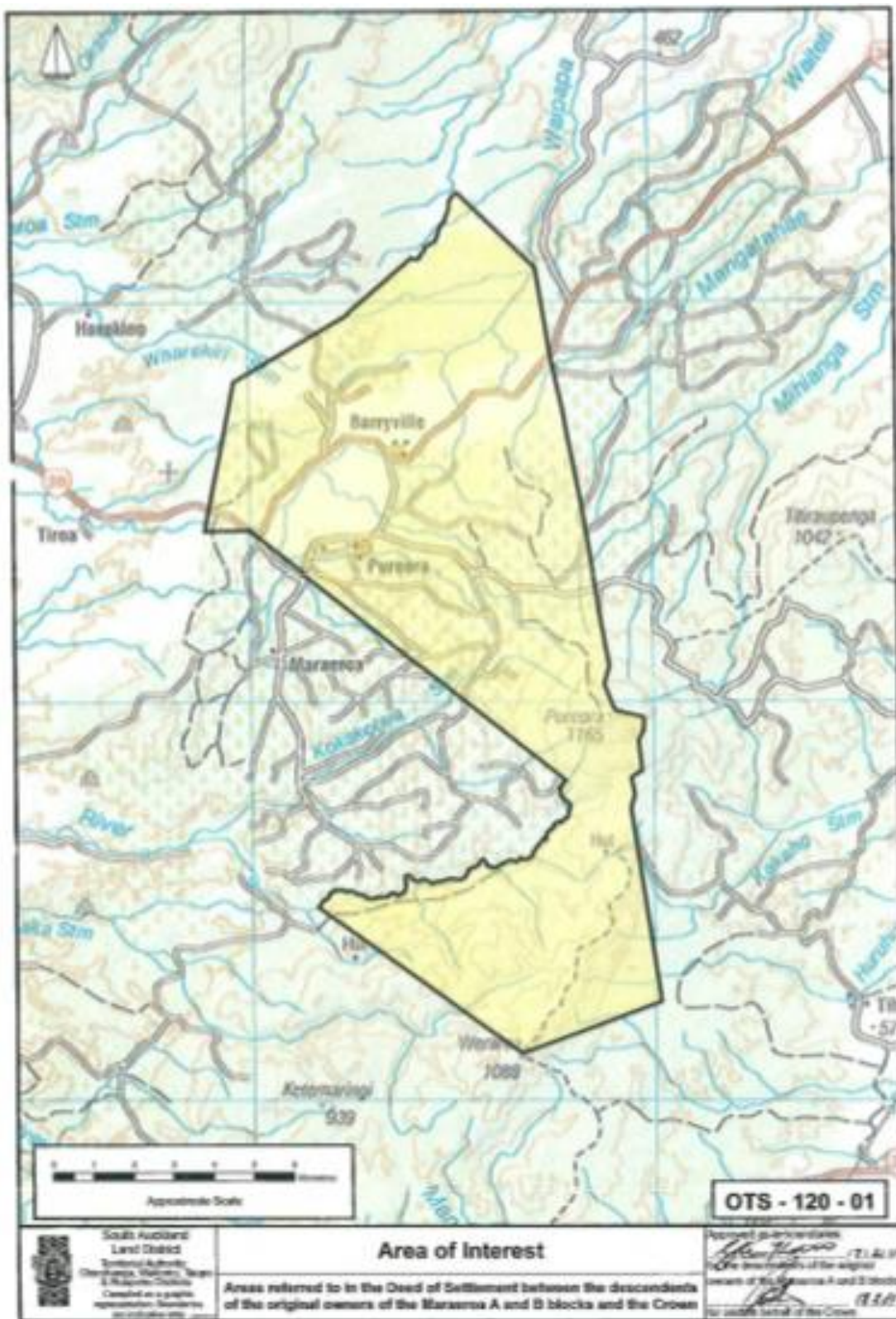
submissions or proceedings concerning activities within, adjacent to, or that directly affect the statutory area and that are made to or before—

- (a) the relevant consent authorities; or
- (b) the Environment Court; or
- (c) Heritage New Zealand Pouhere Taonga; or
- (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.

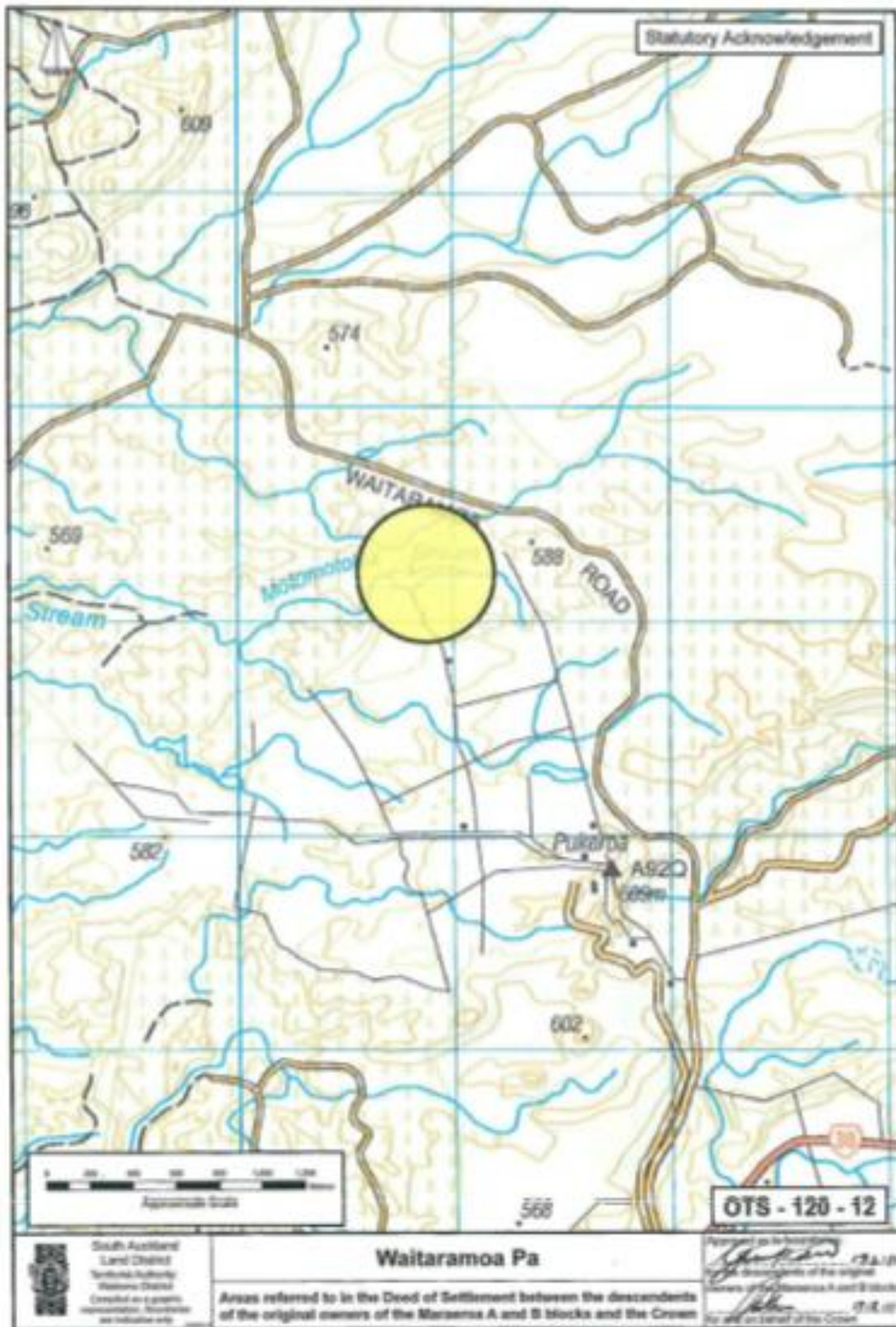
Statutory Acknowledgment Area of Interest

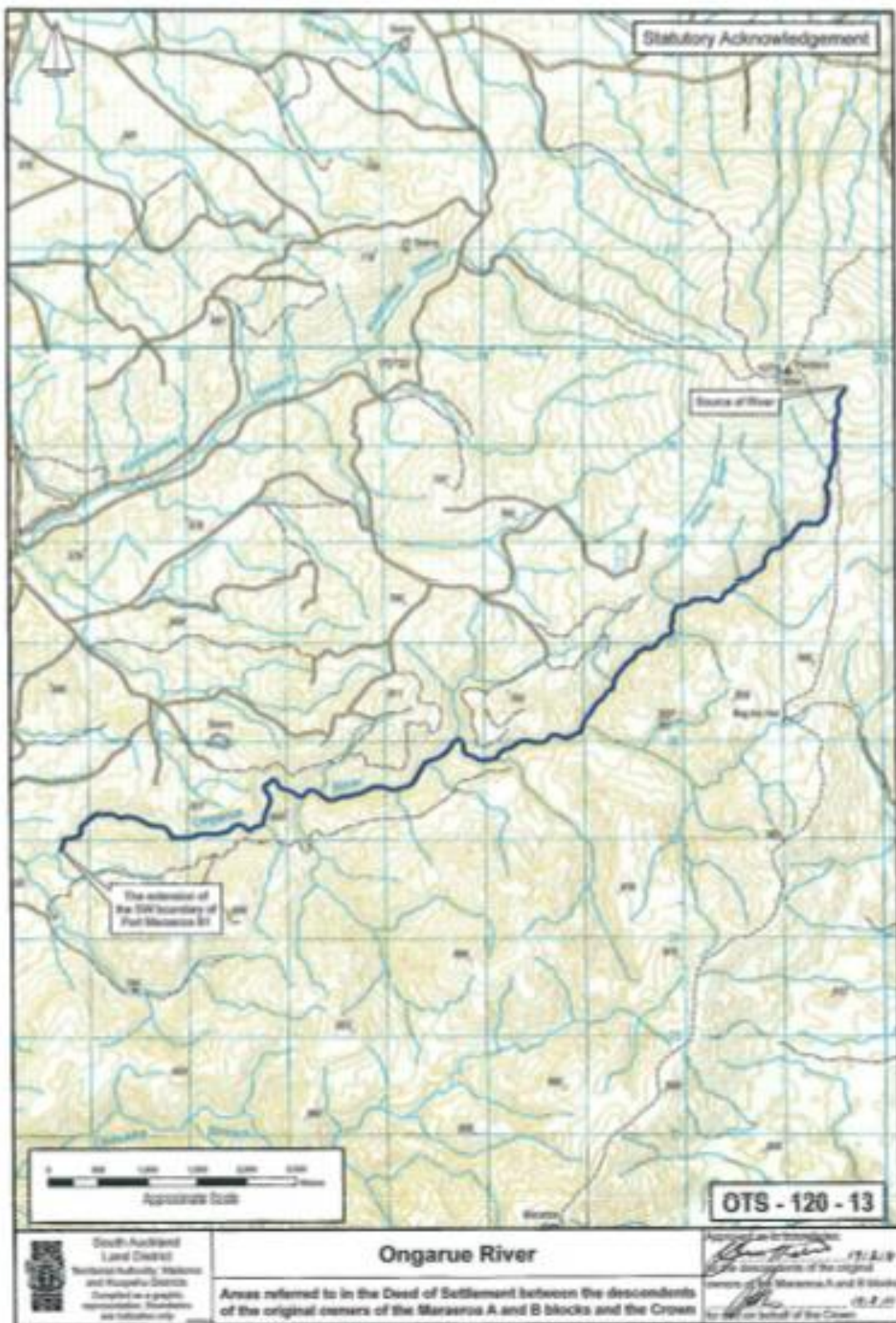
Statutory Area Location

Maraeroa A and B Blocks As shown on OTS-120-01



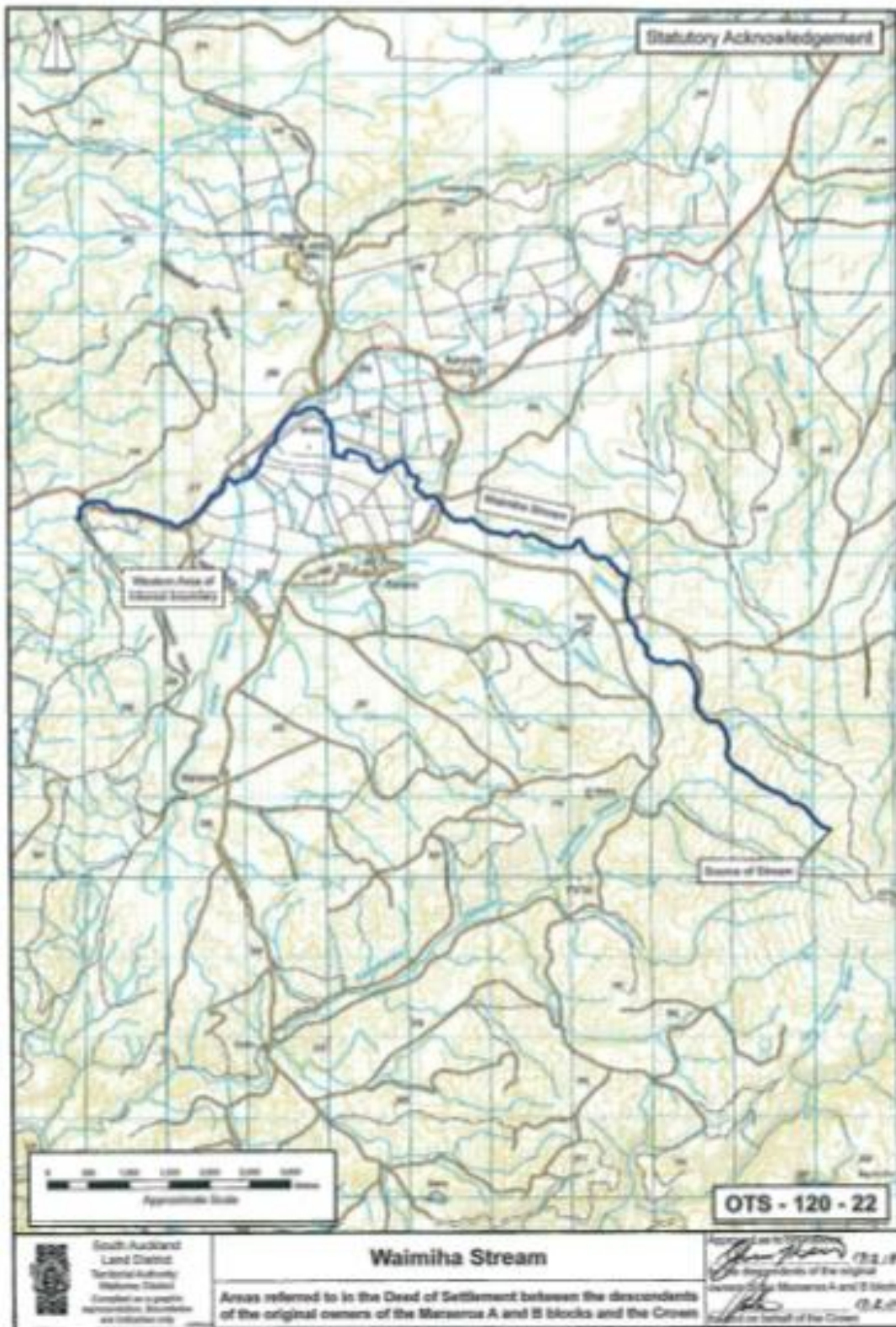
Statutory Acknowledgement Areas

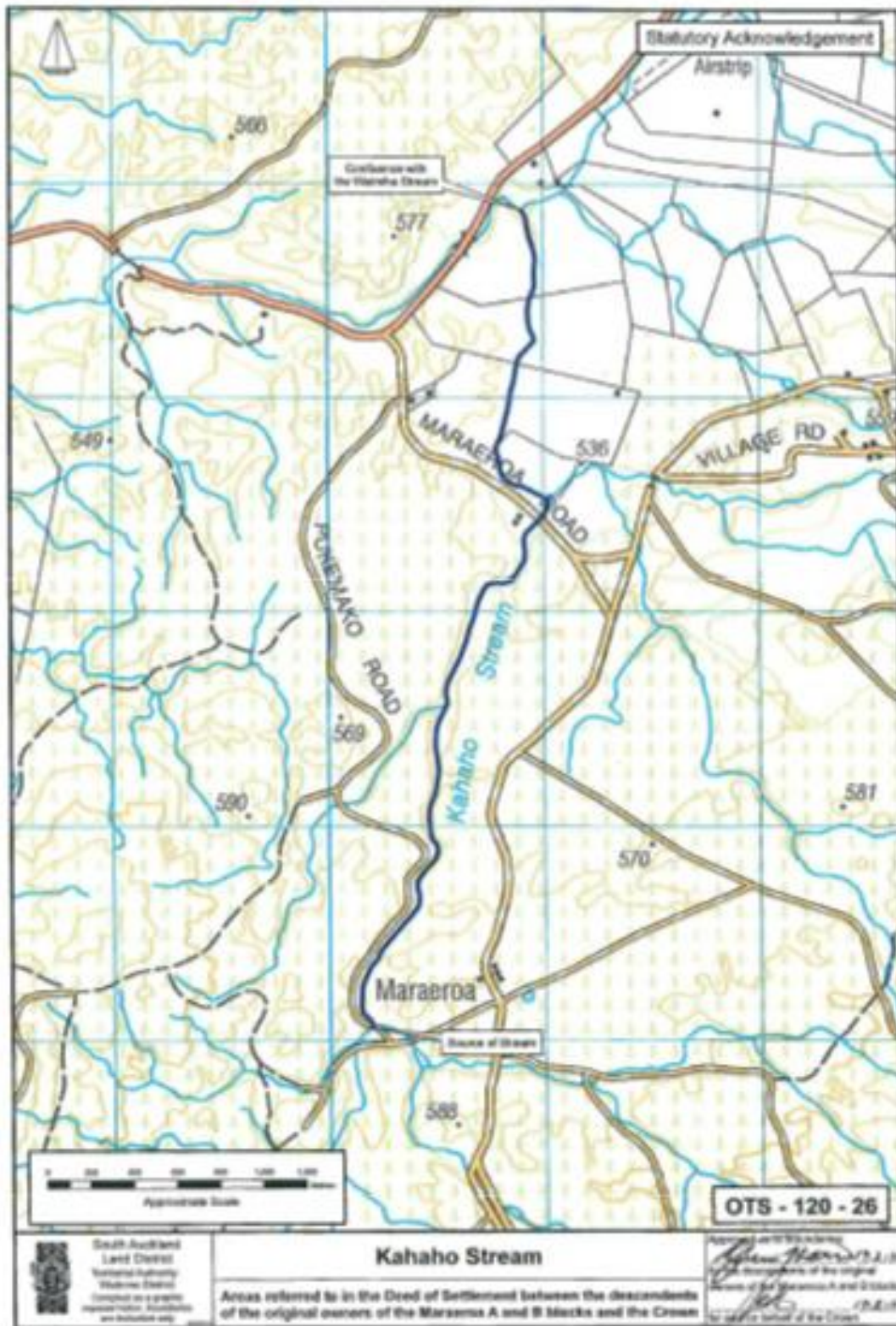


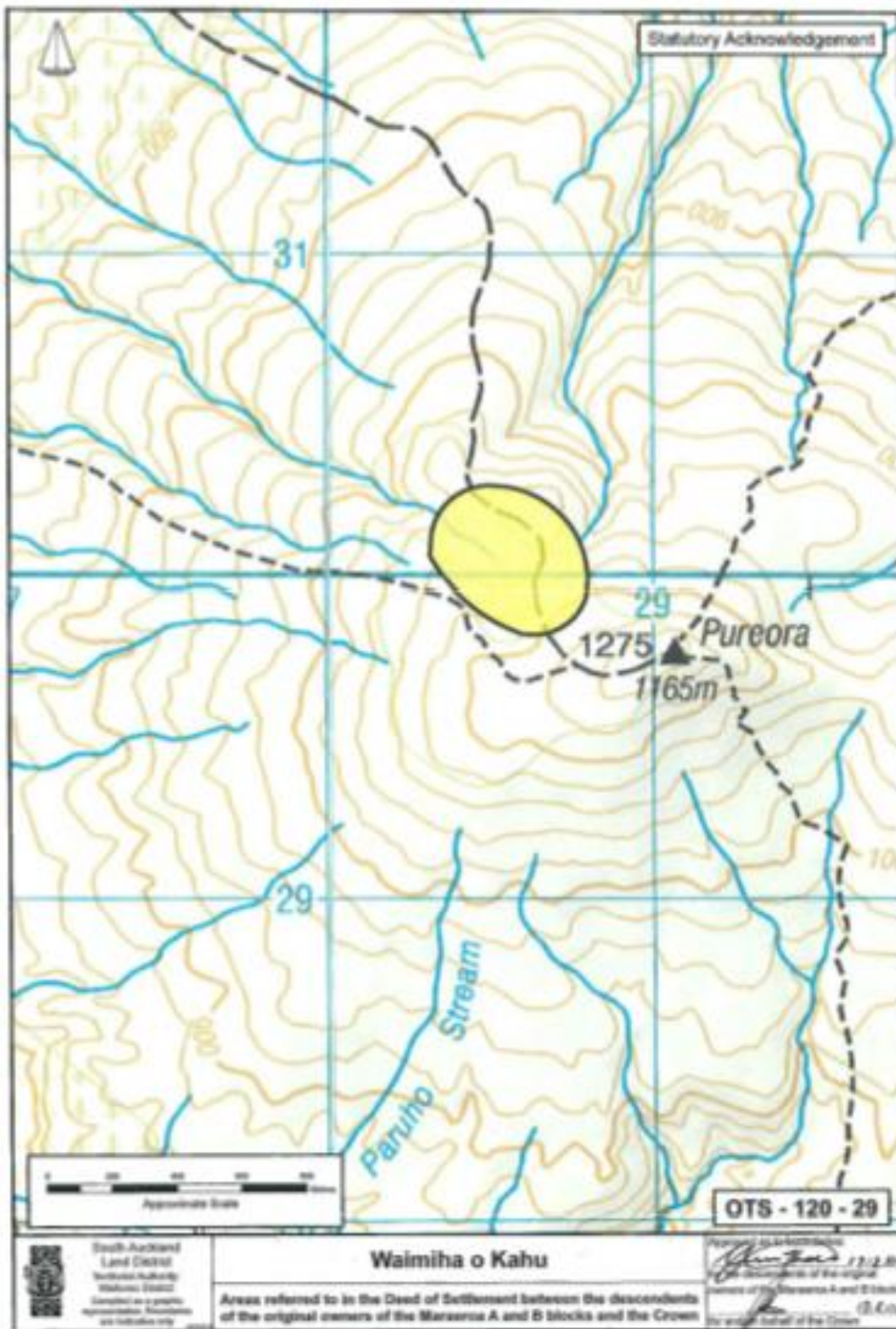














Statements of Association

APPENDIX 6

3 STATEMENTS OF ASSOCIATION

The settling group's statements of association are set out below. These are statements of the settling group's particular cultural, spiritual, historical, and traditional association with identified areas.

	Name of Site	Land owner Admin Body	Name of area/Reserve	Statement of Association
1.	Ongarue River (as shown on deed plan OTS-120-13)	Department of Conservation	Maraeroa A2	Ongarue is a sacred river commencing on Pureora-o-Kahu mountain. Its name means "the tremors." Ongarue It was formed by an earthquake in pre-European times and is a main contributory to the Whanganui river. Ngati Rereahu and other local iwi regard the Ongarue as a taonga (treasure) and he wai whakarite (ceremonial waters). There were special places along the river where ceremonial blessings were performed as well as places for mahinga kai (making food) and also points where water was drawn for general living requirements. The Ongarue was an important source of food and a means of transportation right through to Whanganui. Kokopu, koaru, marearea, tuna, koura, piharau were plentiful in the river and putangitangi and koreru inhabited the riverbanks. Also harvested were the komata and hinau growing on the banks of the river.
2.	Mangaparuhou Stream (as shown on deed plan OTS-120-17)	Department of Conservation	Maraeroa A1	Paruhou is a sacred river also commencing on Pureora-o-Kahu mountain and joins the Ongarue near the headwaters of the Ongarue. It was formed by an earthquake in pre-European times and the name Paruhou means "new earth" which was so named due to an earthquake unveiling new soil from which the water flowed. Ngati Rereahu and other local iwi regard the Paruhou as a taonga (treasure) and he wai whakarite (ceremonial waters). There were special places along the river where ceremonial blessings were



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				performed as well as places for mahinga kai (making food) and also points where water was drawn for general living requirements. The Paruhou is still used today for the same purposes as our tupuna used them.
3.	Tahorakarewarewa (as shown on deed plan OTS-120-16)	Department of Conservation	Maraeroa A2	Tahorakarewarewa is one of the traditional boundary markers or Pou recognised by tupuna of old from both the Te Arawa and Tainui tribes. It marks the place of the papakainga (village) which belonged to the tupuna Haakuhaanui. Tahorakarewarewa is an ancient korero which is interpreted as being a very significant place both in size and stature. It is one of several recognised boundary markers that marked the eastern boundary between Tainui and Te Arawa.
4.	Taporaroa Pa (as shown on deed plan OTS-120-19)	Department of Conservation	Maraeroa A1	<p>Taporaroa is the most significant papakainga (village) of to Ngati Rereahu papakainga (village) and other local iwi as it was the most ancient of the old villages in the time of Kahupekarere (Pureora-o-Kahu) Turongo, Raukawa, Rereahu, Maniapoto and their families.</p> <p>It was also a neutral place for the tribes of Tainui and Te Arawa because of a shared ancestry first through Kahupekarere, then Raukawa and Turongoihi.</p> <p>Taporaroa meaning "a long mat" was named after the whariki (mat) that Raukawa and Turongoihi were betrothed as infants. The Taporaroa village also covered a large area and was well populated in the ancient times therefore the name also refers to the size and extent of the area.</p>

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5.	Tikiwhenua (as shown on deed plan OTS-120-09)	Department of Conservation	Maraeroa A1	Tikiwhenua is a sacred burial site or Urupa where lay the remains of the many tupuna who fought in the battle of "Ngahau" in the 18 th Century between Rereahu/Maniapoto and the Whanganui tribes.
6.	Tomotomo Ariki (as shown on deed plan OTS-120-10)	Department of Conservation	Maraeroa A1	Tomotomo Ariki is an ancestral pathway and is referred to as "He huarahi tangata – he ara tupuna", meaning a road way for people, - an ancestral pathway. It was a major pathway at the time of the 1864 battles of Orakau and Rangiaowhia. Tomotomo Ariki provided a travel way between Waikato, Raukawa, Maniapoto, Rereahu and Tuwharetoa districts and was also well used by those tribes as well as by visiting tribes.
7.	Waimiha Stream (as shown on deed plan OTS-120-22)	Department of Conservation	Maraeroa A2	<p>Waimiha o Kahu Punawai:</p> <p>The "Waimiha o Kahu" punawai or spring is situated just below the summit of Pureora mountain on the northern face. The water from the spring was used to perform the miha (ritual) to cleanse or purify a person from their ailments. The spring is also the source of the Waimihia river which flows down the mountain eventually joining the Ongarue. Waimiha o Kahu was named after Kahupekarere who recovered from a serious illness after the purification ceremony was performed with water from the spring. Further purification was obtained from standing on the summit and being purified by the winds. The saying "Purea i te wai, purea i te hau" refers to the purification rituals performed there. Waimiha o Kahu is therefore referred to as "He wai whakaiti" or sacred waters.</p> <p>Waimiha o Kahu:</p>



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				<p>Waimiha o Kahu. he waahi tango wai, Water drawing points.</p> <p>He wai tino tapu, nei nga whakaaro o Rereahu me etahi atu mo te Waimiha –o-Kahu.</p> <p>Divine Water is how Rereahu and others consider the entire Waimiha River.</p> <p>However here the water drawing points and there are many along the river, deals specifically with the area directly below Nga Herenga Papakainga a span of 500 meters with the waters flowing north, considered in ancient times as the mauri (life essence) of the Papakainga Rereahu and other local iwi descendants believe it important to be addressed as a waahi tapu.</p>
8.	Waimoanaiti (as shown on deed plan OTS-120-11)	Department of Conservation	Maraeroa A1	Waimoanaiti is part of the wetlands that forms the beginning of the Waipa river. In times of heavy rain it turned into a lake or lagoon hence the name Waimoanaiti or "little sea". It was also a wahi pakanga or the place of the extended site of the historic battle of Ngahau.
9.	Karamarama Stream (as shown on deed plan OTS-120-14)	Department of Conservation	Maraeroa A1	The Karamarama stream flowed below the village of Waitaramoa. It was a beautiful stream of crystal clear waters and full of koura (fresh water crayfish). Water was drawn from the Stream at various drawing points by inhabitants of Waitaramoa Pa and areas were also set aside for ceremonial purposes. It was therefore a wai whakarite or sacred stream. Karamarama means crystal clear or pure water and the stream eventually flows into the Waipapa River.
10.	Weraroa (as shown on deed plan OTS-120-15)	Department of Conservation	Maraeroa B1	Weraroa is a historic Rereahu village and traditional boundary marker defining the Tainui/Te Arawa boundary line. Weraroa means a



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				large fire and likely named after the Taupo eruption scorched the earth so badly that the land remains largely vacant of trees and other plants even today.
11.	Commencement of Waipa River (as shown on deed plan OTS-120-06)	Department of Conservation	Maraeroa A1	<p>The Waipa River commences at Taporaro and is a very sacred river to both Rereahu and Maniapoto and is the source and original home of the taniwha, Waiwala, (spiritual water guardian). The Waipa eventually flows into the Waikato river at the Ngaruawahia confluence.</p> <p>When the chieftaness Kahupekarere first arrived in the district at Pakaumanu she was overheard to say "I pa mai te rongo haruru ana, aa ka mutu, he wai noa". That is she heard the thunderous sounds of the water long before she saw it. Pakaumanu makes further reference to the Waipa River as having the sound of birds wings.</p> <p>The place where the water from the swamp actually turns into a stream is known as pekepeke which means "to bounce" which happens when you walk on the moss areas of swamp lands.</p> <p>The Waipa River was also a traditional food gathering area where once were an abundance of tuna (eels), koura (crayfish) and manu (birds).</p>
12.	Kahaho Stream (as shown on deed plan OTS-120-26) . This stream is known to the descendants of the original owners of the Maraeroa A and B blocks as Mangakakaho Stream.	Department of Conservation	Maraeroa B	<p>Te Mangakakaho ano ra he wai tapu, he wai whakahira, whakahara, ki a matou o Rereahu me ona uri.</p> <p>Managakakaho Stream, sacred water of quality and utmost importance to Rereahu and other local iwi descendants.</p> <p>From a water shed of small puna wai (springs) in the Maraeroa C block, it flows firstly towards the West then turns East into Maraeroa B through part of Crafer Farms here flowing slightly North, eventually joining the Waimiha River.</p>

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				<p>The Mangakakaho Stream is an important washi tapu, particularly nga punawai termed wai whakarite (Blessing Water), and is used for this purpose even today by some members of Rereahu and other local iwi. The northern section was identified and used by Rereahu and other iwi whanau to prepare stone implements, adzes, axes, etc.</p> <p>Along most of the Mangakakaho Stream in terms of food, Mokopuna are still able to gather freshwater Koura, Kokopu, Tuna, Ti-komata as did our ancestors in their time.</p>
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APPENDIX 6

Appendix 7 – Statutory Acknowledgement Areas – Ngāti Tūwharetoa

Attachment of information to the Waitomo District Plan in accordance with Sections 29 to 33, 35 and 36 of the Ngati Tuwharetoa Claims Settlement Act 2018. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 34(1) of the Ngati Tuwharetoa Claims Settlement Act 2018 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 29 to 33, 35, and 36; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area. The statements of association are the particular cultural, spiritual, historical, and traditional associations of Ngati Tuwharetoa.

For more information please refer to Ngati Tuwharetoa Claims Settlement Act 2018.

Sections from the Ngati Tuwharetoa Claims Settlement Act 2018.

29 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

30 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in **accordance with sections 31 to 33; and**
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in **accordance with sections 34 and 35; and**
- (c) **to enable the trustees and any member of Ngāti Tūwharetoa to cite the statutory acknowledgement as evidence of the association of Ngāti Tūwharetoa with a statutory area, in accordance with section 36.**

31 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

32 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

33 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

34 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) a copy of sections 29 to 33, 35, and 36; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
 - (a) **part of the statutory plan; or**
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

35 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) **waive the right to be provided with a summary or copy of a notice under this section; and**
 - (b) state the scope of that waiver and the period it applies for.

- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

36 Use of statutory acknowledgement

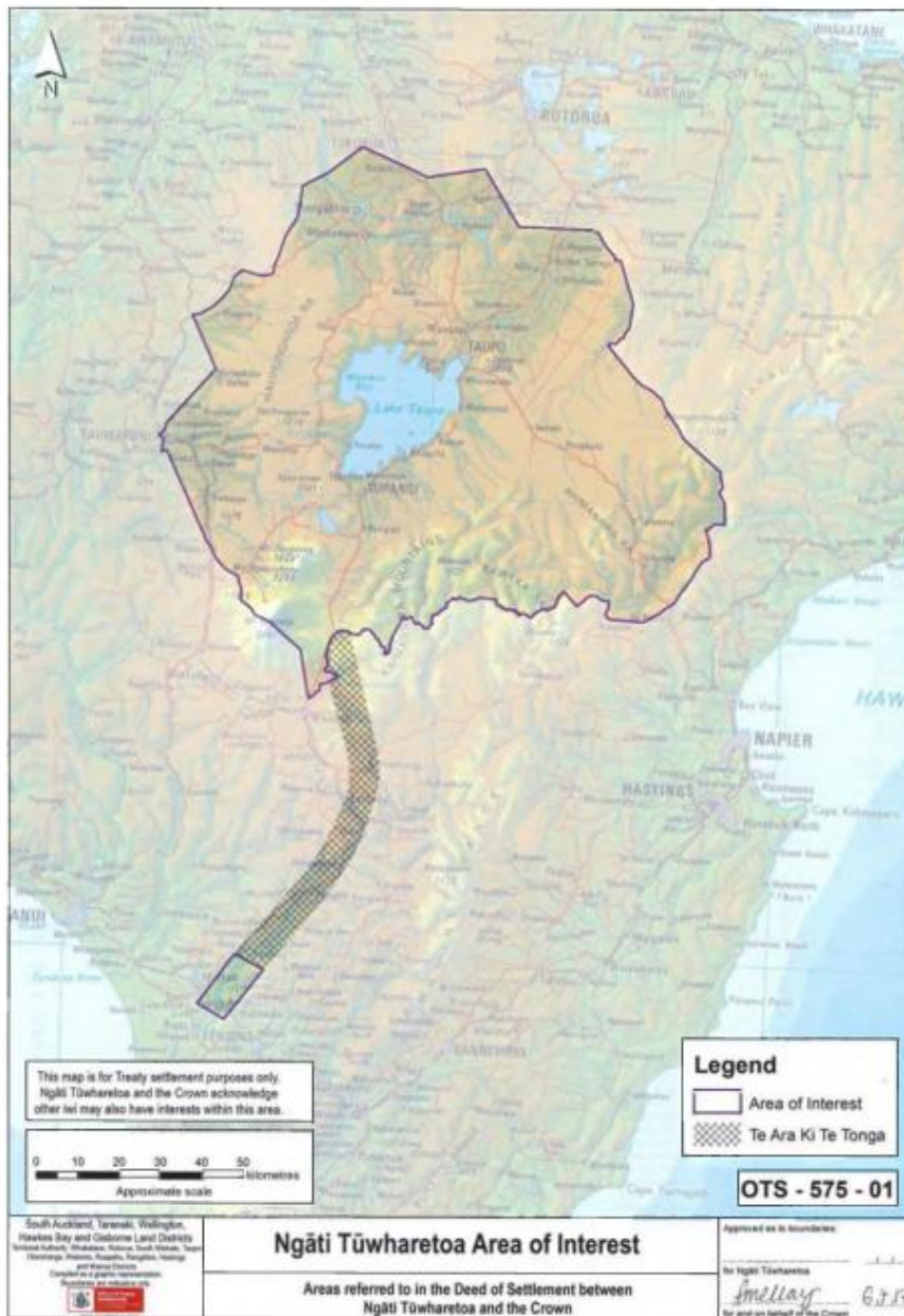
- (1) **The trustees and any member of Ngāti Tūwharetoa may, as evidence of the association of Ngāti Tūwharetoa with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—**
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) **neither the trustees nor members of Ngāti Tūwharetoa are precluded from stating that Ngāti Tūwharetoa has an association with a statutory area that is not described in the statutory acknowledgement; and**
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Statutory Acknowledgement Areas and Areas of Interest

Statutory Area	Location
Ngati Tuwharetoa Area of Interest	As shown on OTS-575-01
Pureora	As shown on OTS-575-41

NGATI TOWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

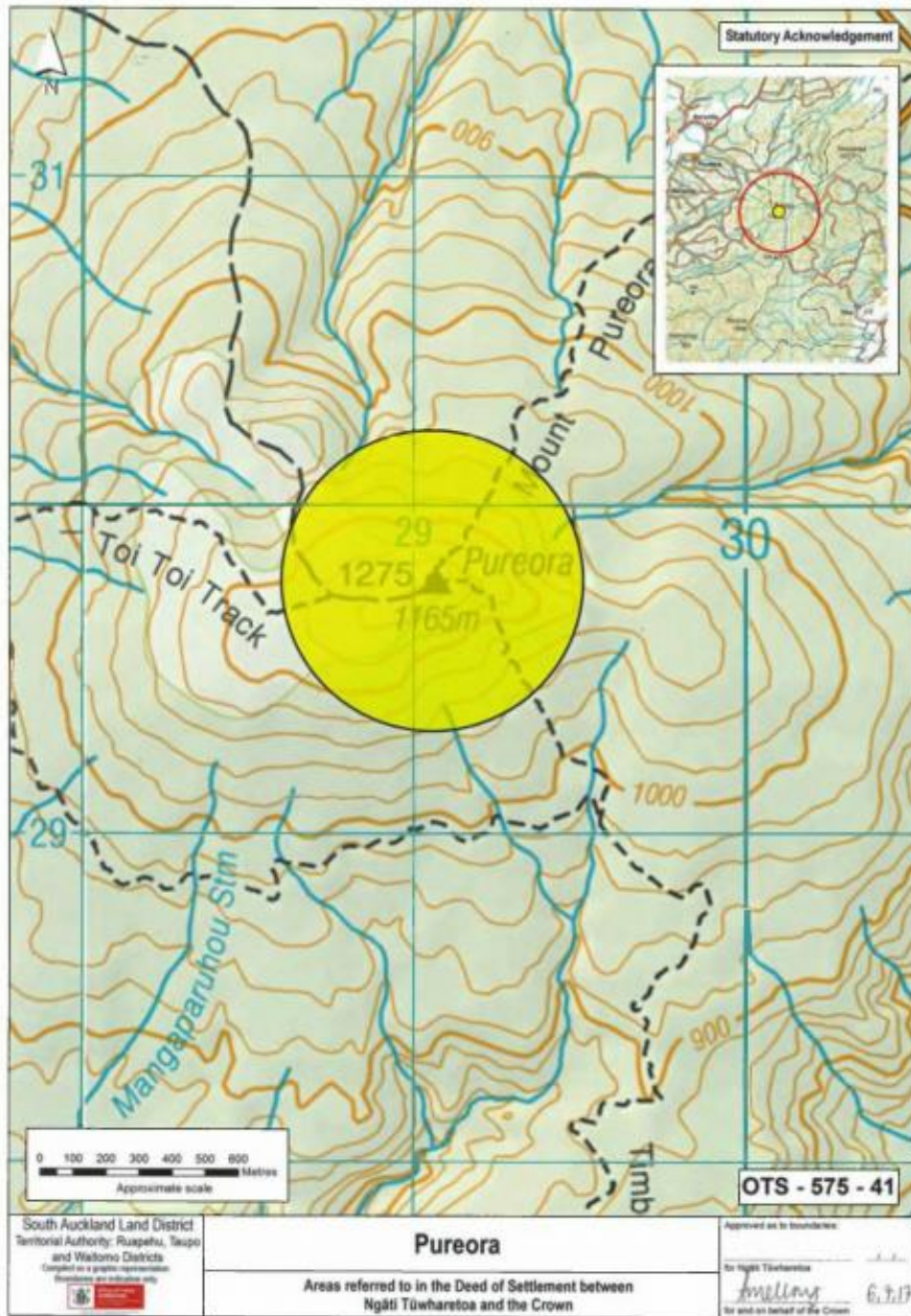
1: AREA OF INTEREST



Ngāti Tūwharetoa Area of Interest (OTS-575-01)

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

2: DEED PLANS



Ngāti Tuwharetoa - Pureora (OTS-575-41)

Statement of Association and Areas of Interest

**3.2 PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK
(WITHIN THE AREA OF INTEREST)**

3.2: PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK (WITHIN THE AREA OF INTEREST)

Protection Principles for part Pureora Forest Park (within the area of interest) (as shown on deed plan OTS-575-35)

The following Protection Principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Ngāti Tūwharetoa values related to part Pureora Forest Park (within the area of interest):

1. **He whenua tūpuna, he mana, he tapu, he mauri anō tōna** (An ancestral land, with its own mana, tapu and mauri):
 - (a) protection of wāhi tūpuna, indigenous flora and fauna, traditional materials and resources, water and the wider environment within part Pureora Forest Park (within the area of interest).
2. **He tangata whenua: Ko te whenua he pou whakapapa, he pou herenga nā Ngāti Tūwharetoa i te ahi kā roa, te kaitiakitanga, te rangatiratanga** (The people of the land: The land is a repository of whakapapa, connecting Ngāti Tūwharetoa with their ancestral fires, kaitiakitanga and rangatiratanga):
 - (a) recognition of the mana, kaitiakitanga and tikanga of Ngāti Tūwharetoa with regard to part Pureora Forest Park (within the area of interest);
 - (b) respect for Ngāti Tūwharetoa tikanga and kaitiakitanga within part Pureora Forest Park (within the area of interest);
 - (c) respect for the relationship of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest), and encouraging others to respect that relationship;
 - (d) accurate portrayal of the association of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest); and
 - (e) recognition of the interest of Ngāti Tūwharetoa in actively protecting native species within part Pureora Forest Park (within the area of interest) including, but not limited to, kererū and pikopiko.
3. **Kua toro te mate, me whakaora rawa** (the wellbeing of part Pureora Forest Park (within the area of interest) must be restored).

Actions by the Director-General of Conservation in relation to the Protection Principles

The following actions will be taken by the Department of Conservation in relation to the Protection Principles:

- (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about Ngāti Tūwharetoa values and the existence of the overlay classification and will be encouraged to respect the association Ngāti Tūwharetoa have with part Pureora Forest Park (within the area of interest);
- (b) the Department of Conservation will work with Ngāti Tūwharetoa on the design and location of new signs to discourage inappropriate behaviour, including vehicle access through and across part Pureora Forest Park (within the area of interest), fossicking, the modification of wāhi tapu sites and disturbance of other taonga;

3.1: PROTECTION PRINCIPLES FOR WHENUAKURA

- (c) the public will be informed that the removal of all rubbish and wastes from part Pureora Forest Park (within the area of interest) is required;
- (d) Ngāti Tūwharetoa association with part Pureora Forest Park (within the area of interest) will be accurately portrayed in all new Department of Conservation information and educational material;
- (e) Te Kotahitanga will be consulted regarding any proposed Department of Conservation public information or educational material relating to part Pureora Forest Park (within the area of interest), and the Department of Conservation will only use Ngāti Tūwharetoa cultural information with the consent of Te Kotahitanga;
- (f) significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible;
- (g) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Kotahitanga will be consulted at an early stage and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites;
- (h) any kōiwi (human remains) or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Kotahitanga informed as soon as possible to enable Ngāti Tūwharetoa to deal with the kōiwi or taonga in accordance with their tikanga;
- (i) the Department of Conservation will work with Te Kotahitanga to identify opportunities to involve Ngāti Tūwharetoa in programmes within part Pureora Forest Park (within the area of interest), including native species management programmes, pest control and ranger duties; and
- (j) the Department of Conservation will ensure that applicants for concessions, permits and any other rights affecting part Pureora Forest Park (within the area of interest) engage at an early stage with Ngāti Tūwharetoa.

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
DOCUMENTS

4.1 STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

APPENDIX 7

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

The statements of association of Ngāti Tūwharetoa are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Ngāti Tūwharetoa with identified areas.

Pureora and Tītīraupenga

The following Statement of Association by Ngāti Tūwharetoa applies to part of Pureora maunga, part of Pureora Forest and Tītīraupenga.

Ngāti Tūwharetoa interests within the Pureora Forest Park lie within the Taupō moana (Lake Taupo) and Waikato River watersheds. The Ngāti Tūwharetoa tupuna Tūtētawhā gave the following kōrero after travelling into the western watershed and meeting a rangatira of another iwi:

"Mai te tihi o ngā maunga o Hauhungaroa, ki Hurakia, ki te tihi o Pureora Maunga, tae atu ki te taumata o Tītīraupenga, ko te marangai e rere ki roto ngā awa i te rawhiti o ēnei wai tapu mō te Inanga, mō te Kōaro, mō te Kōkopu. Ngā awa e rere ki te taha hauauru o ngā tihi o ngā maunga, i waihotia mō te Koura, te Tuna me te Piharau."

"From the peak of the mountain Hauhungaroa, to Hurakia, to the peak of Pureora mountain, to the peak of Tītīraupenga, the waters that flow into the eastern rivers are set aside for the Inanga, the Kōaro, and the Kōkopu. The rivers that flow to the west of these mountains are set aside for the Koura, the Tuna and te Piharau."

Although Ngāti Tūwharetoa also have interests beyond this rohe, this Statement of Association focuses on the area described by Tūtētawhā. It includes the Māori land blocks known as Pouakani, Tīhoi, Waihāhā, Hauhungaroa and Waituhi Kuratau.

Ngāti Tūwharetoa hapū associated with the Pureora Forest Park, include Ngāti Hinemihi, Ngāti Manunui, Ngāti Te Maunga, Ngāti Parekaawa, Ngāti Whēoro, Ngāti Tarakaiahi, Ngāti Te Kohera, Ngāti Hā, Ngāti Wairangi and Ngāti Moekino.

The Tītīraupenga, Pureora, Tūhua, Hurakia and the Hauhungaroa range were renowned for their dense forestry (including tōtara, rimu, mataī and kahikatea) and the rich bird life including kererū, kākā and kōkako.

Tītīraupenga and Pureora-a-Tia

After the arrival of Te Arawa waka, a number of tūpuna journeyed inland. Tia and his group initially travelled towards the east of Taupōnui-a-Tia but eventually they turned towards the west of the lake. There are a number of place names commemorating Tia's journey including Te Tīhoi a Tia (the place where Tia wandered aimlessly) and Pureora-a-Tia (the cleansing ritual of Tia). Tia then ascended Tītīraupenga, erecting an altar and claiming the lands for his descendants. When Tia died, he was interred at Tītīraupenga.

Kāinga close to both Tītīraupenga and Pureora include Kaiwhā and Pukerimu. Important pā sites include Ahirara, Horaaruhe and Tūtakamoana. Tūtakamoana was a fortified pā and a stronghold of Ngāti Te Kohera and their whanaunga hapū. From Te Weri, Ngāti Tarakaiahi and their whanaunga hapū had access to the Hurakia and Hauhungaroa range to hunt birds. Te Raro was the most important bird-snaring area at Tītīraupenga. It was here that a priestess of bird lore would open the bird-snaring season each year.

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

Hauhungaroa

Hauhungaroa is the name of a range of hills situated to the west of Lake Taupo. Hauhungaroa means the long, frosted breath. A Ngāti Tūwharetoa tradition records that the ranges were named by Tia when he awoke one very cold morning and observed his breath in the cold air.

The Ngāti Tūwharetoa hapū associated with this area tended to be mobile. At certain parts of the year they lived on the shores of Lake Taupo and the Waikato River, where they gathered kai such as kōkopu, kōaro and kōura. Maraekōwhai was a stronghold of Ngāti Parekaawa and Ngāti Te Kohera, and Waihāhā was a stronghold for Ngāti Tarakaiahi and Ngāti Wheoro. In other times of the year, they moved to kāinga within Hauhungaroa. Pā and kāinga associated with these areas included Kākaho, Te Pou a te Piki, Te Harure, Te Putu, Te Whāiti and Te Hirata.

Ngāti Tūwharetoa greatly valued the forests growing along the Hauhungaroa range, which contained extensive strands of mataī, tōtara, rimu and a range of ferns. There were also a number of streams in this area, providing water, mahinga kai and other resources. Hākuhanui (the eponymous ancestor of the Ngāti Hā hapū) was a mokopuna of Tia who lived at Kākaho. One day when crossing a stream, he slipped and the feather ornaments of his taiaha became wet, hence the name of the stream Huruhurumāku (wet feathers) which runs from Tīhoi to the Mangakino River.

The foods gathered within Hauhungaroa included birds, kiore (rat), pikopiko (fern), miro berries and other foods and rongoā (medicine). The kōtukutuku and the miro trees produced sweet berries that enticed kererū and other birds to be snared. Ngāti Tūwharetoa highly valued kererū as a bountiful and important traditional food. Birds were gathered only at particular times of the year and only in accordance with tikanga. Important karakia and rituals were performed by tohunga to open the bird season each year. One of the first tasks carried out by Herea Te Heuheu Tūkino I after his appointment as Ariki was to mark the opening of the birding season at Waituhi on the Hauhungaroa range.

Te Hiapō was an ancient kāinga on the Hauhungaroa block for those who were taught the bird rituals. Te Aputa was another area where bird lore was learnt. Different families and rangatira were associated with particular birding trees and waka manu. A waka manu is a wooden container, filled with freshwater and placed in a tree. Birds were snared as they stopped to drink from the waka manu. The birds' tail feathers were removed and buried, and the birds were preserved in their own huahua (fat). Certain feathers were set aside and used in clothing and for adornment.

Ngāti Tūwharetoa gathered a range of food and delicacies from the Hauhungaroa Range for a number of important hui. Providing kai enabled hapū to exercise manaakitanga and rangatiratanga. Birds were sent to Maraekōwhai at the time of Parekaawa's death. Birds from Hauhungaroa fed the thousands that attended the Pūkawa hui known as Hīnana ki uta, Hīnana ki Tai to appoint a Māori king.

Many of the Hauhungaroa blocks, formerly in Ngāti Te Maunga customary ownership, have been incorporated into the Pureora Forest Park. A section of the Part Hauhungaroa 2D2 block is included in the Pureora Forest Park.

Whenuakura

The Whenuakura Ecological Area is an area at the southern end of the Pureora Forest Park. It is particularly associated with Ngāti Te Maunga, a hapū of Ngāti Tūwharetoa, who maintain their ahi kā roa (long, undisturbed occupation) based on hereditary and whakapapa rights derived

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

from ahikaroa (long, undisturbed occupation). Ngāti Te Maunga's eponymous tupuna Te Maunga, inherited mana in respect of the Hauhungaroa lands from her father Kikoreka and her grandmother Parekaawa.

Whenuakura literally means precious lands. It is a taonga whenua, rich in tribal histories. Ngāti Tūwharetoa value Whenuakura for its abundant ecology and for their customary relationship with the natural environment and our kaitiaki responsibilities to it.

Ngāti Tūwharetoa tūpuna lived in a number of kāinga built at strategic points, including Whanganui Bay, Te Rawatanga, Ruahine, Pukeiahua and Ōruaiwi. These kāinga gave ready access to Whenuakura's rich mahinga kai and resources. Ruahine was home to the Ngāti Tūwharetoa tupuna Parekaawa, and it is the resting place of Te Maunga.

Within Whenuakura there are nineteen streams and springs, containing freshwater mahinga kai. There is also a mature native forest, which provided Ngāti Tūwharetoa with abundant korerū and other edible birds. Birding places within Whenuakura include Putaohore, Te Pāhoahoa, Te Kowheai Waione, Tekopae a Hape, Panapa, Te Ruapōtaka and Te Puka.

Whenuakura also provided a corridor through which peaceful iwi groups travelled in waka, up the Whanganui River from the south, or from the north via the Taringamotu River, branching into the Pungapunga River and up the Pungapunga Valley to Te Parekura, before crossing by foot along the upper reaches of the Whenuakura Plains.

Te Pūtahitanga is a small lake at the source of the Pungapunga and Whanganui Streams. It is the sight of a significant battle between Ngāti Te Maunga, supported by their whanaunga allies, against another iwi. This was a rare occurrence. The other iwi was defeated and their dead buried in the wetlands on the Whenuakura Plains. The wetland was renamed Te Parekura.

There are a number of pā associated with and close to Whenuakura. This includes Waiapu pā.

Tūhua

In 1913, Tūreiti Te Heuheu Tūkino V repeated the words of his grandfather Mananui Te Heuheu Tūkino II:

"One time he considered his body to be similar to the land, one of his thighs on Tītīokura, the other on Ōtairi, one of his arms on Pare te tai tonga, one on Tūhua mountains, his head on Tongariro, his body lying on Taupō. That his word made sacred the land, a region of his mana, a region where Pākehā were forbidden to enter, land never to be lost to the Pākehā. This was the greatest concern to him."

As described by Tūtētawhā, Tūhua is part of the western boundary of Ngāti Tūwharetoa. Ngāti Tūwharetoa hapū Ngāti Hinemihi, Ngāti Manunui and Ngāti Tarakaiahi all maintain their kaitiakitanga and mana in respect of Tūhua.

There are numerous streams in this area running towards the Whanganui River, including the Waipare, Pungapunga and Taringamotu Rivers. The Waituhi Stream flows into the Kuratau River towards Lake Taupo. The Waituhi Stream was named because of fallen trees that form natural water troughs after the southerly wind has blown.

Appendix 8 – Statutory Acknowledgement Areas – Raukawa

Attachment of information to the Waitomo District Plan in accordance with sections 23 to 29 of the Raukawa Claims Settlement Act 2014. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 23 of the Raukawa Claims Settlement Act 2014 requires Council to record the statutory acknowledgements on all statutory plans.

Section 27 states that the information attached to a statutory plan must include:

- (a) a copy of sections 22 to 26, 28 and 29; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area. The statements of association are the particular cultural, spiritual, historical, and traditional associations of Raukawa.

For more information please refer to Raukawa Claims Settlement Act 2014.

Sections from the Raukawa Claims Settlement Act 2014.

22 Statutory acknowledgement by the Crown

The Crown acknowledges

- (a) the statements of association for the statutory areas described in Parts 1 and 2 of Schedule 1; and
- (b) the statement of association for Te Kohera-Kawakawa Bay statutory area arising through the tupuna Te Kohera.

23 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are to—

- (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in **accordance with sections 24 to 26; and**
- (b) require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in **accordance with sections 27 and 28; and**

- (c) enable the trustees and any member of Raukawa to cite the statutory acknowledgement as evidence of the association of Raukawa with a statutory area, in accordance with section 29.
- 24 Relevant consent authorities to have regard to statutory acknowledgement
- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
 - (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
 - (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.
- 25 Environment Court to have regard to statutory acknowledgement
- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
 - (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
 - (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.
- 26 Historic Places Trust and Environment Court to have regard to statutory acknowledgement
- (1) This section applies to an application made under section 11 or 12 of the Historic Places Act 1993 for an authority to destroy, damage or modify an archaeological site within a statutory area.
 - (2) On and from the effective date, the Historic Places Trust must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 14 of the Historic Places Act 1993 in relation to the application.
 - (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 20 of the Historic Places Act 1993, an appeal against a decision if the Historic Places Trust in relation to the application.
 - (4) In this section, archaeological site has the meaning given in section 2 of the Historic Places Act 1993.

28 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.

29 Use of statutory acknowledgement

- (1) The trustees and any member of Raukawa may, as evidence of the association of Raukawa with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) the Historic Places Trust; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.

- (4) To avoid doubt,—
- (a) neither the trustees nor members of Raukawa are precluded from stating that Raukawa has an association with a statutory area that is not described in the **statutory acknowledgement; and**
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Statutory Acknowledgement Areas and Areas of Interest

Statutory Area	Location
Part Pureora Conservation Park	As shown on OTS-113-21

PART PUREORA CONSERVATION PARK (OTS-113-21)



RAUKAWA DEED OF SETTLEMENT
DOCUMENTS SCHEDULE

**2.7 STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION
PARK**

Clause 5.3

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APPENDIX 8

2.7: STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION PARK

The Pureora Conservation Park covers a considerable area within the south-western portion of the Raukawa rohe and includes many areas and sites that are highly revered by Raukawa. The Pureora Conservation Park stretches across parts of a number of land blocks. These blocks include Maraeroa, Tihoi, Pouakani, Wharepūhanga and Rangitoto.

The maunga, Pureora, is in itself an iconic site of significance for Raukawa. Its distinctive pyramidal shape is covered in forests. In Raukawa tradition, Pureora was named by Rakatāura, the tohunga of the Tainui waka and ancestor of Raukawa. Following his arrival in Aotearoa, Rakatāura and his wife Kahukeke, the daughter of Hoturoa, travelled into the central North Island naming places that they came upon. It was at Wharepūhanga, Kahukeke fell ill and consequently Rakatāura built a house for her to rest. Rakatāura climbed a mountain where he performed a purification ritual in order to heal his wife. He was successful and his wife recovered at Wharepūhanga. He named the mountain that he prayed on Te Pureora-o-Kahu, in recognition of that event. Te Whakakākahō o Kahukeke was also named by Rakatāura as the collection site of sticks that were used to build the whare (hut/house) that Kahukeke laid in while she was recuperating from her illness. Unfortunately, Kahukeke did not fully recover from her illness and her journey was short lived. Stricken by the death of his beloved wife, Rakatāura named the place in memorial of her death, Puke o Kahu.

Raukawa traditions state that Rakatāura also deposited at Pureora one of the 'mauri stones' brought from Hawaiki to Aotearoa. This stone was a talisman used to attract birds into an area. From that day forward, Pureora became one of several famed bird snaring areas used by Raukawa hapū to hunt Kēreru and other native birds.

Pureora was a valuable source of food for Raukawa hapū, particularly the wide variety of birds and other plant life including 'perei', similar to kumara but tubular in appearance. According to Raukawa tradition, a great feast was held in commemoration of the marriage between Te Rangipumaomao and a woman from a neighbouring iwi.

The food for this wedding was gathered from Pureora and Kaiperei.

Pureora also contains numerous waterways and mahinga kai of significance to Raukawa. The waterways of Huruhurumāku were so named due to the tupuna, Hā dropping his taiaha in the waters and the feathers that adorned the taiaha getting wet. Other waterways such as Kākāhō, Pūrākaukerea and the Puketapu streams were sources for Raukawa of food such as tuna (eels) and koura (freshwater crayfish) as well as the daily water supply. The waterways were also used for healing.

Pureora is also renowned for having an abundant supply of poaka (pigs). According to some kaumātua, this area was vastly hunted to supply meat to many of the pā in the Te Pae-o-Raukawa rohe (area). Large mahingā kai (gardens) were grown around the pā to help supply food for the people and their manuwhiri (visitors), especially when the occasion was for a tangihanga (funeral).

Many hapū were associated with the Pureora area including Ngāti Te Kohera, Ngāti Wairangi and Ngāti Hā. There are also many sites associated with specific hapū of Raukawa within the Pureora area. According to oral traditions of Ngāti Te Kohera, it was at the settlement and defensive pā of Tutakamoana that the chief, Te Hoariri, was renamed Te Paerata due to his gallant achievements in battle. Te Paerata was to later lead the successful defence of Tutakamoana against marauding forces.

RAUKAWA DEED OF SETTLEMENT
DOCUMENTS SCHEDULE

2.7: STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION PARK

The conservation park also falls within part of the Tihoi block. In that area, Raukawa history records that following the murder of Te Atainutai, his grandson sought revenge. Consequently, he joined with Whitipatoto of Raukawa from Wharepūhanga and together they marched on the Iwi that had killed Te Atainutai. As a result of his offensive march through the Pureora forest, Whitipatoto named the area now known as Tihoi.

By the time Christianity came into the Pureora region in the nineteenth century, Raukawa hapū continued to reside upon lands around Pureora including Puketoro, a kāinga and bird snaring place, Putakoura, a kāinga and potato plantation and Puketapu where food was stored in a cave. Te Ahiahi-a-te-maraeua, a lagoon and kainga situated near Pureora, was a further bird snaring place used by Raukawa.

Appendix 9 – Statutory Acknowledgement Areas – Ngāti Maniapoto

Attachment of information to the Waitomo District Plan in accordance with Sections 32 to 38 of the Maniapoto Claims Settlement Act 2022.

The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 37(1) of the Maniapoto Claims Settlement Act 2022 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 32 to 36, 38 and 39; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area.

32 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

33 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 34 to 36; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 37 and 38; and
- (c) to enable the trustees and any member of Maniapoto to cite the statutory acknowledgement as evidence of the association of Maniapoto with a statutory area, in accordance with section 39.

34 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

35 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

36 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

38 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B(4) of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

39 Use of statutory acknowledgement

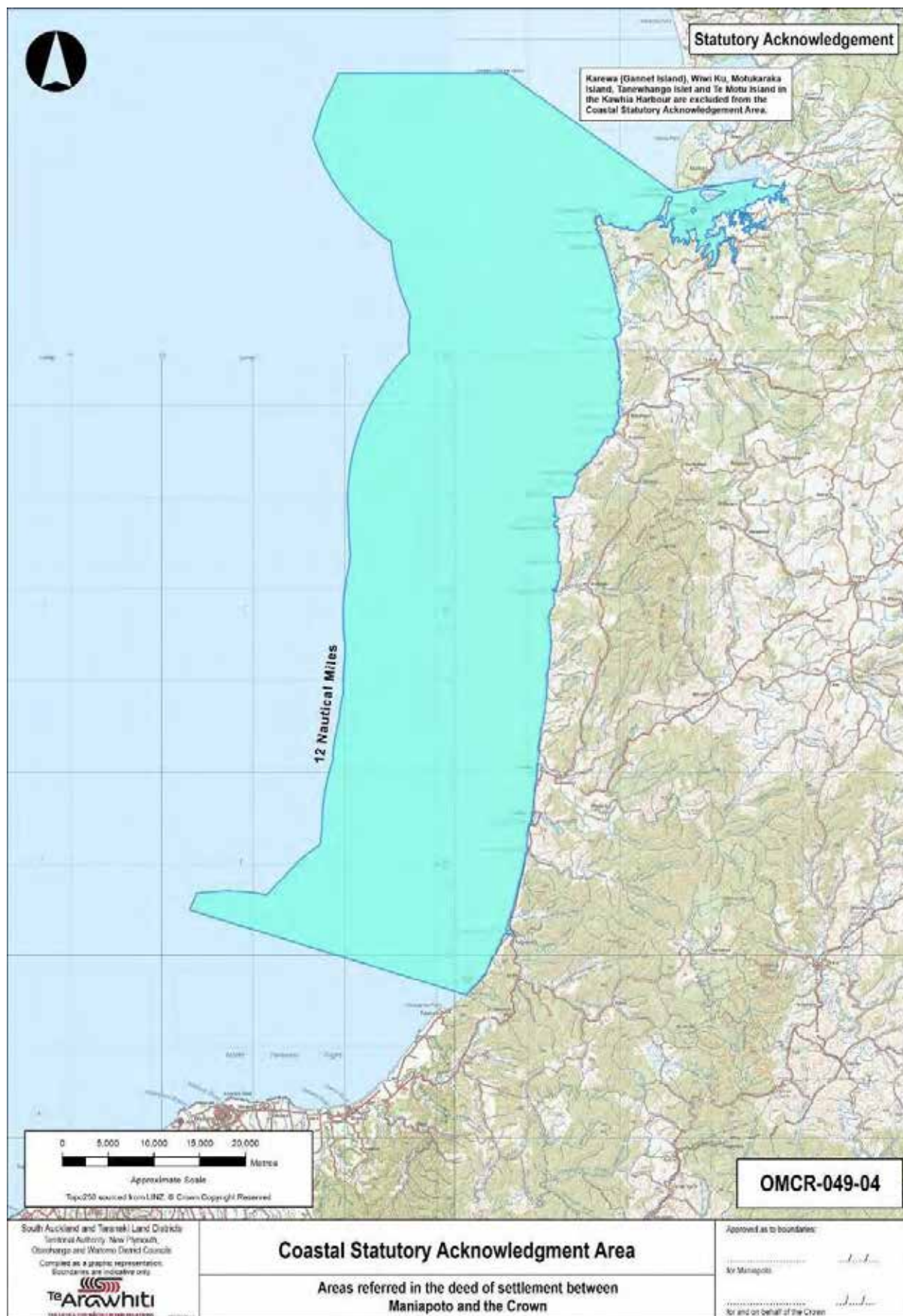
- (1) The trustees and any member of Maniapoto may, as evidence of the association of Maniapoto with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, because of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt, —
 - (a) the trustees and members of Maniapoto are not precluded from stating that Maniapoto has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

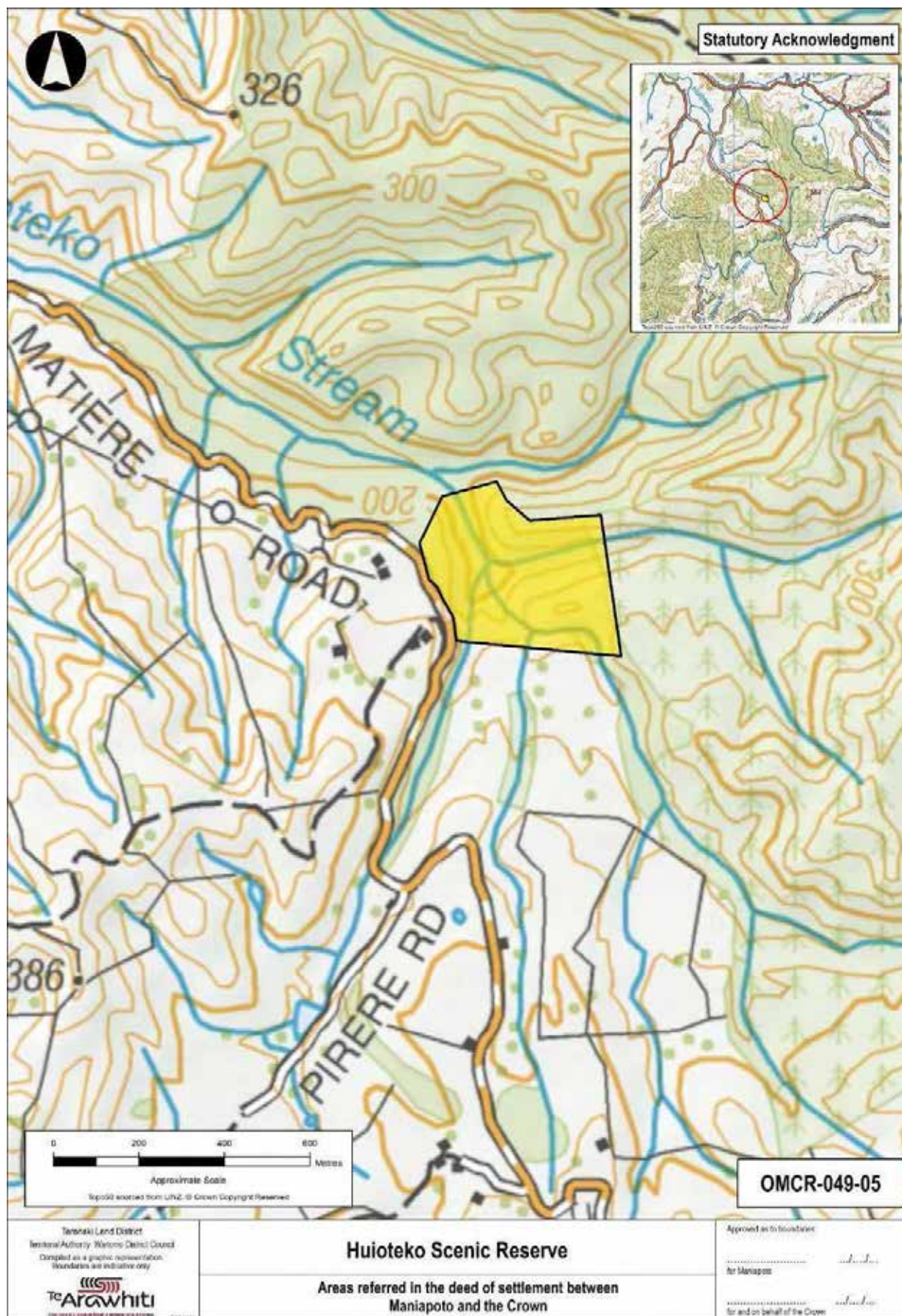
Areas subject only to statutory acknowledgement

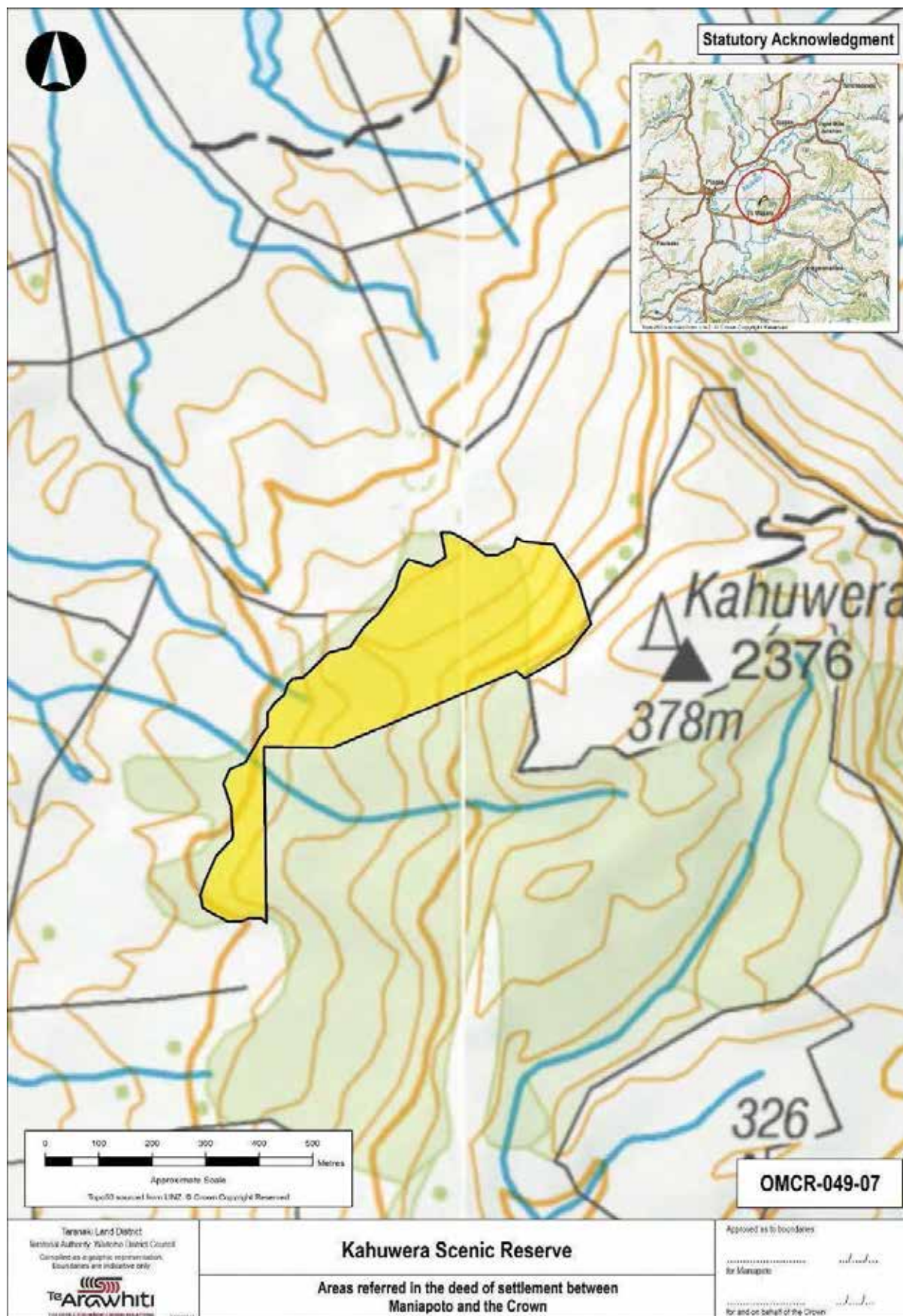
Statutory area	Location
Coastal statutory acknowledgement area	As shown on OMCR-049-04
Huioteko Scenic Reserve	As shown on OMCR-049-05
Kahuwera Scenic Reserve	As shown on OMCR-049-07
Mahoenui Conservation Area	As shown on OMCR-049-11
Marokopa Falls Scenic Reserve	As shown on OMCR-049-13
Part Matakana Conservation Area (area linked to Te Puta Spring)	As shown on OMCR-049-14
Moeatoa Scenic Reserve	As shown on OMCR-049-15
Mohakatino Conservation Area	As shown on OMCR-049-16
Mokau River Scenic Reserve	As shown on OMCR-049-17
Ngatamahine Scenic Reserve	As shown on OMCR-049-19
Puketapu Historic Reserve	As shown on OMCR-049-23
Rukuhia Domain Recreation Reserve	As shown on OMCR-049-24
Tapuae Scenic Reserve	As shown on OMCR-049-25
Taumatini Scenic Reserve	As shown on OMCR-049-26
Te Kuiti Aerodrome	As shown on OMCR-049-28
Te Nau Nau property	As shown on OMCR-049-29
Totoro Scenic Reserve	As shown on OMCR-049-30
Turaerae Scenic Reserve	As shown on OMCR-049-31
Waitewhena Conservation Area	As shown on OMCR-049-32

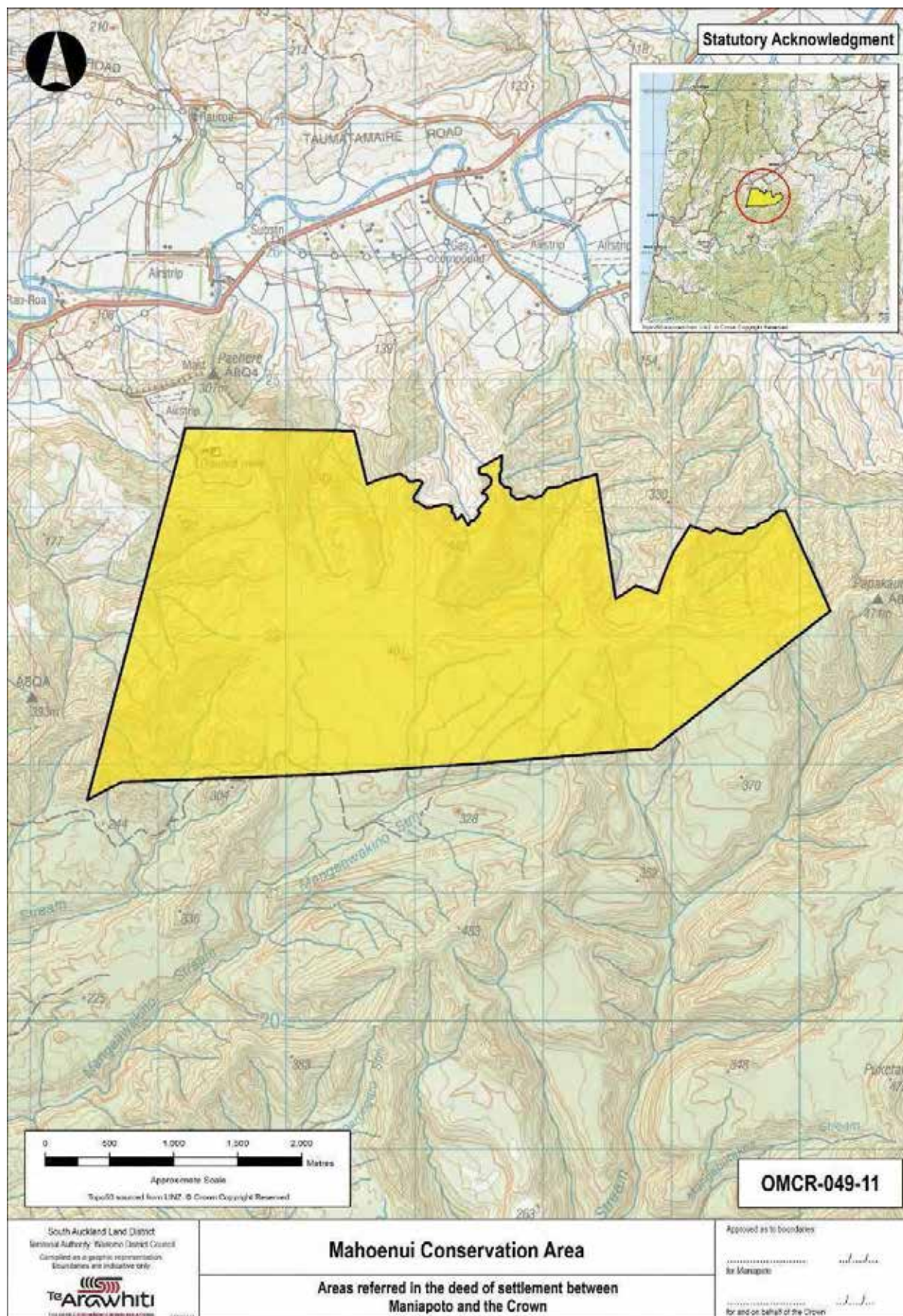
Part 2 Areas subject to both statutory acknowledgement and deed of recognition

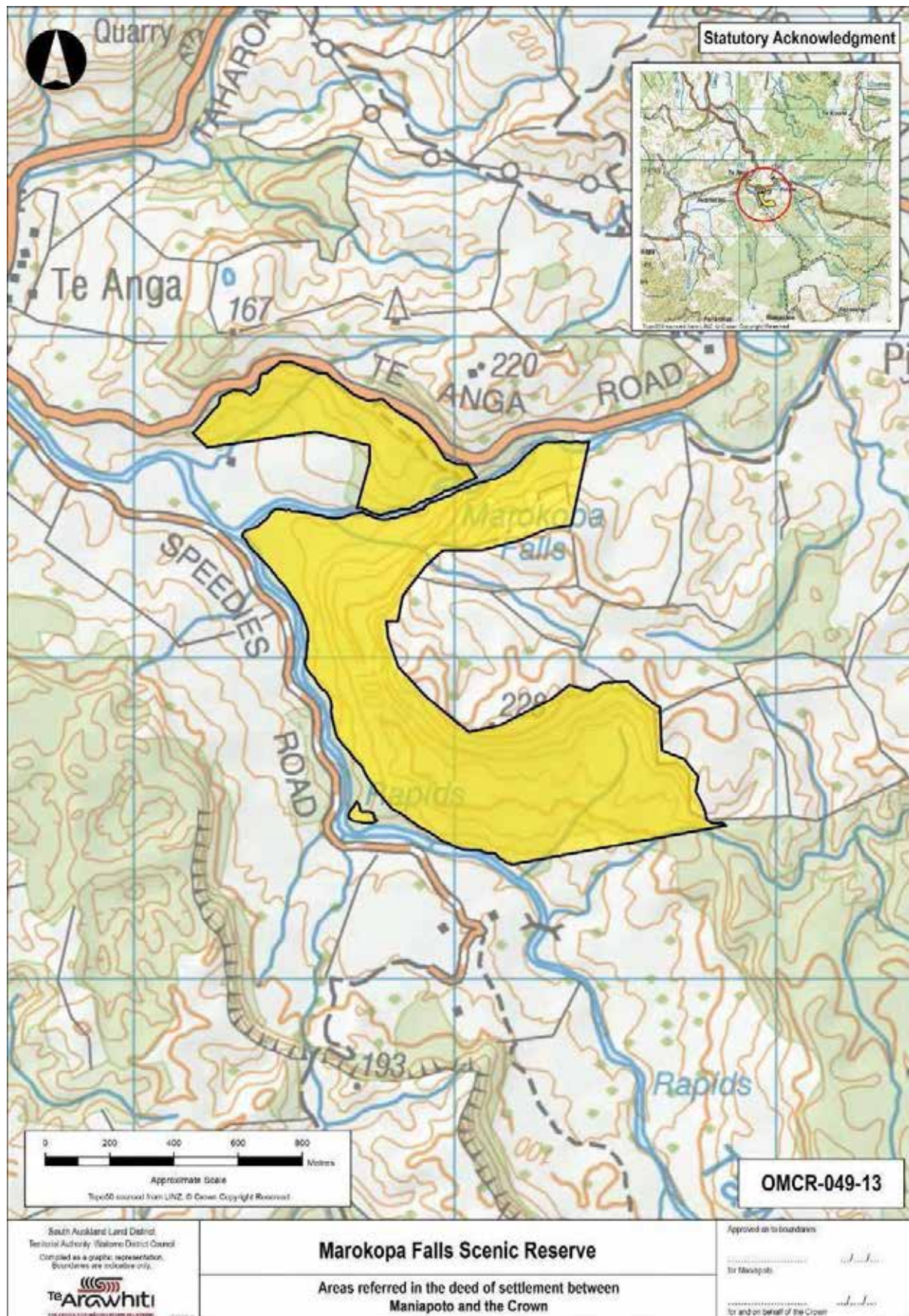
Statutory area	Location
Mangapohue Natural Bridge Scenic Reserve	As shown on OMCR-049-12

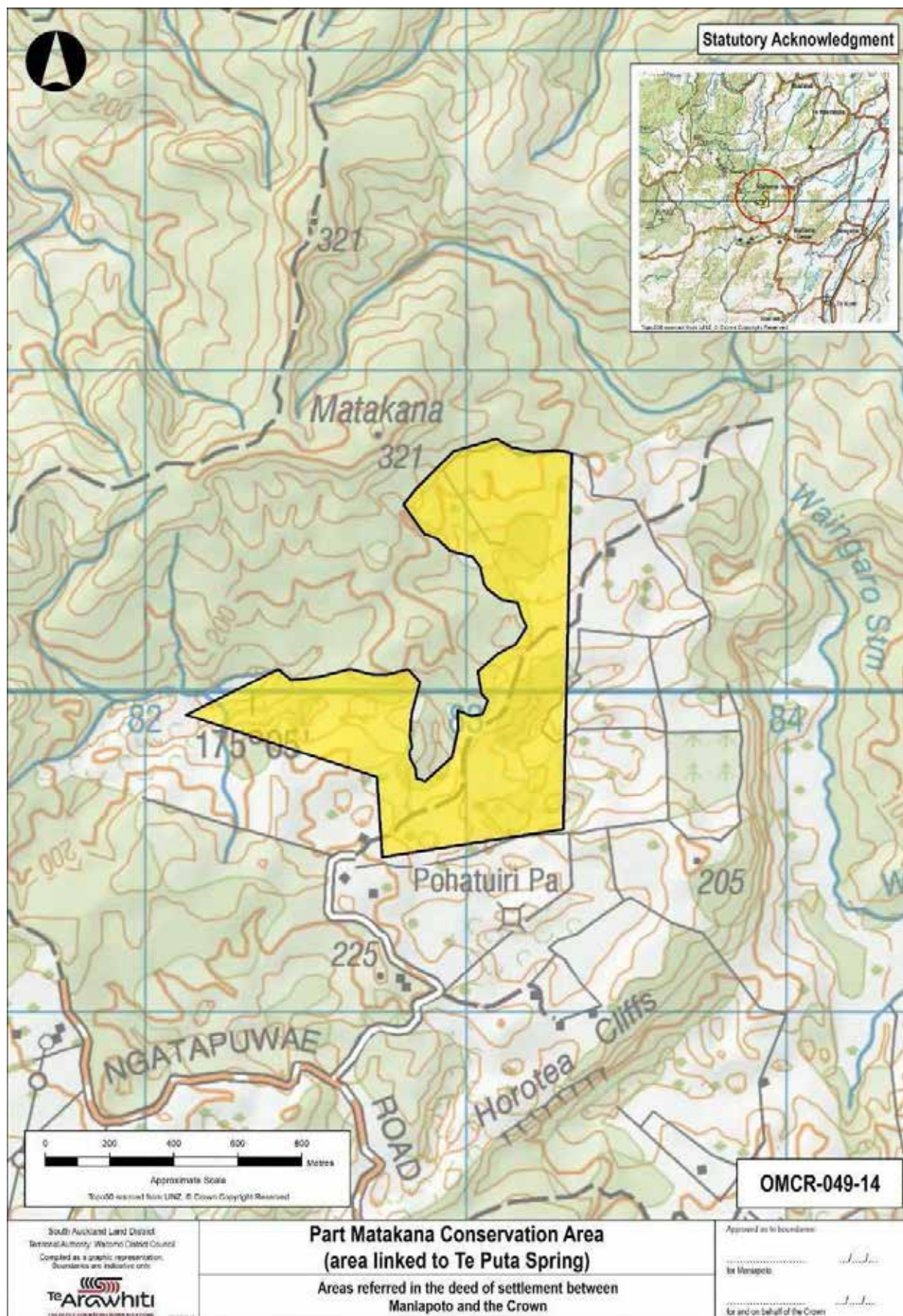


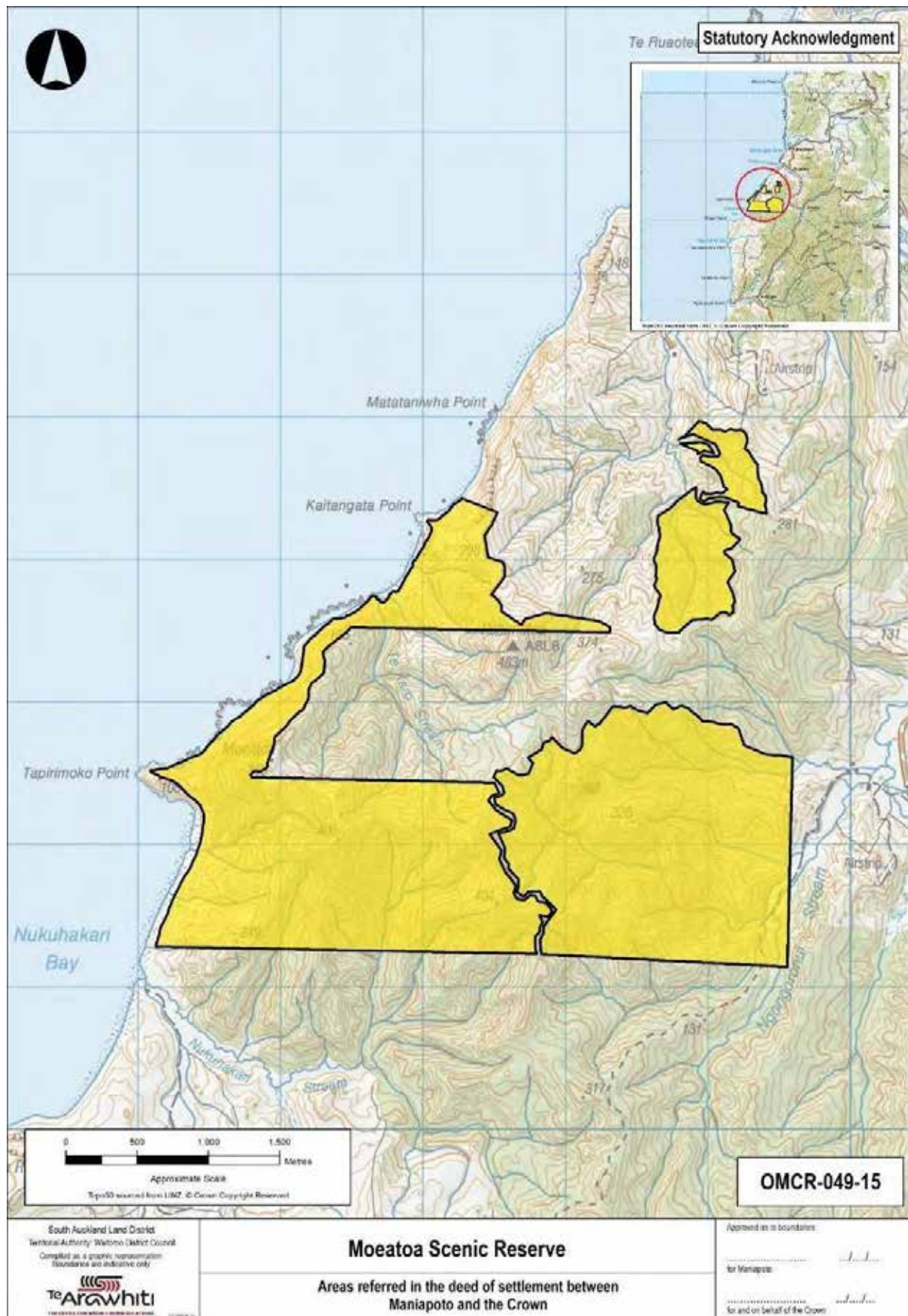


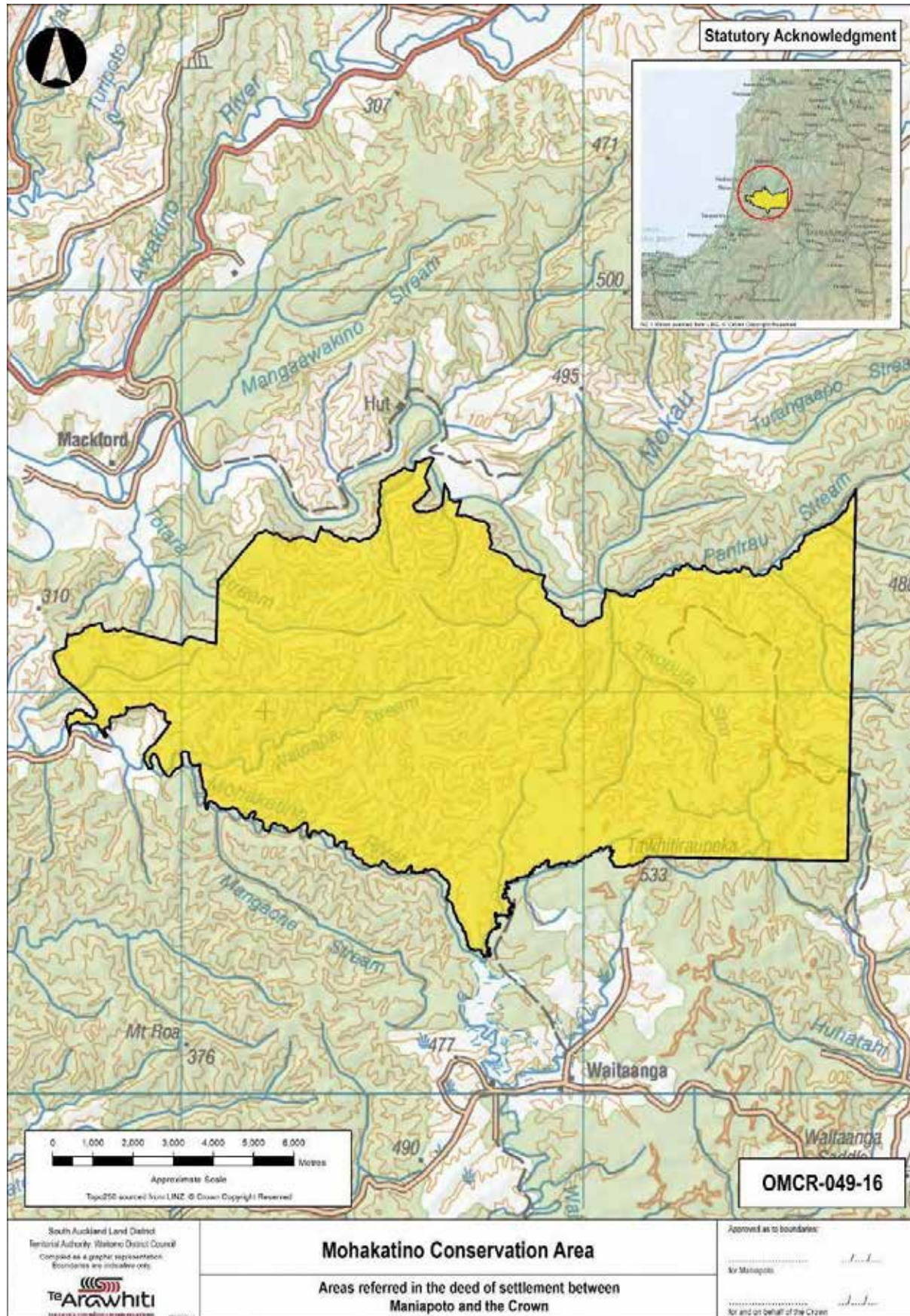


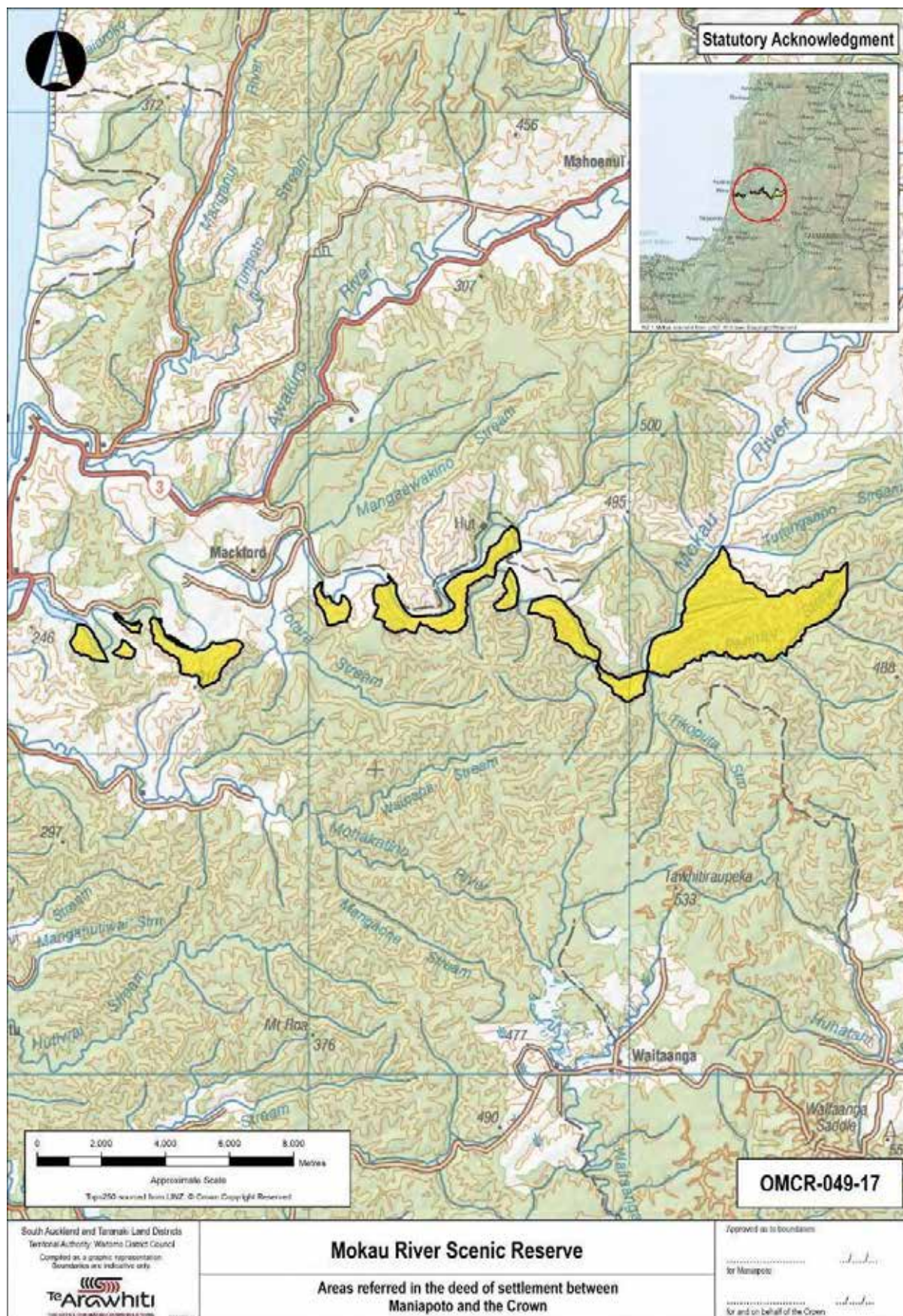


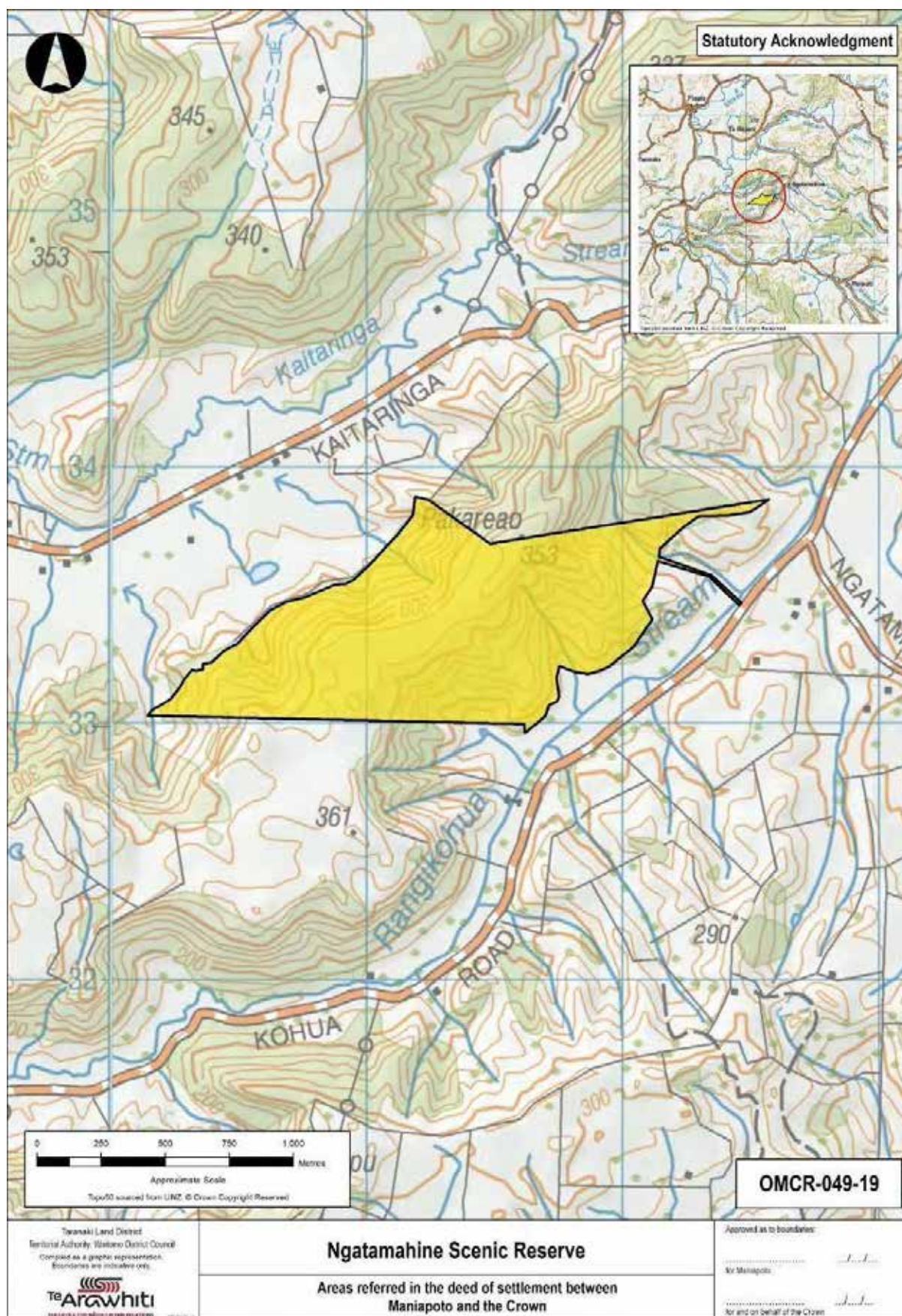


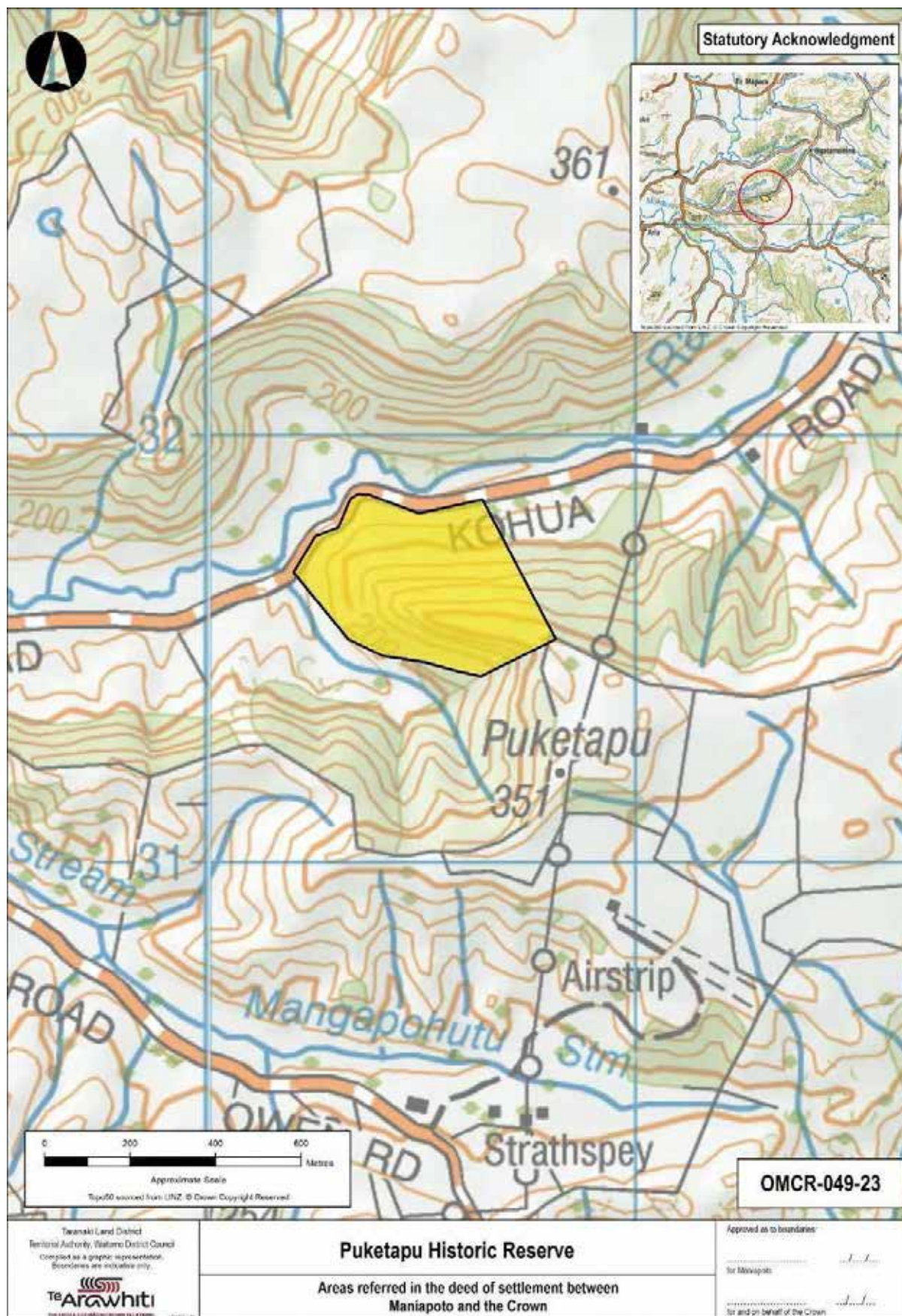




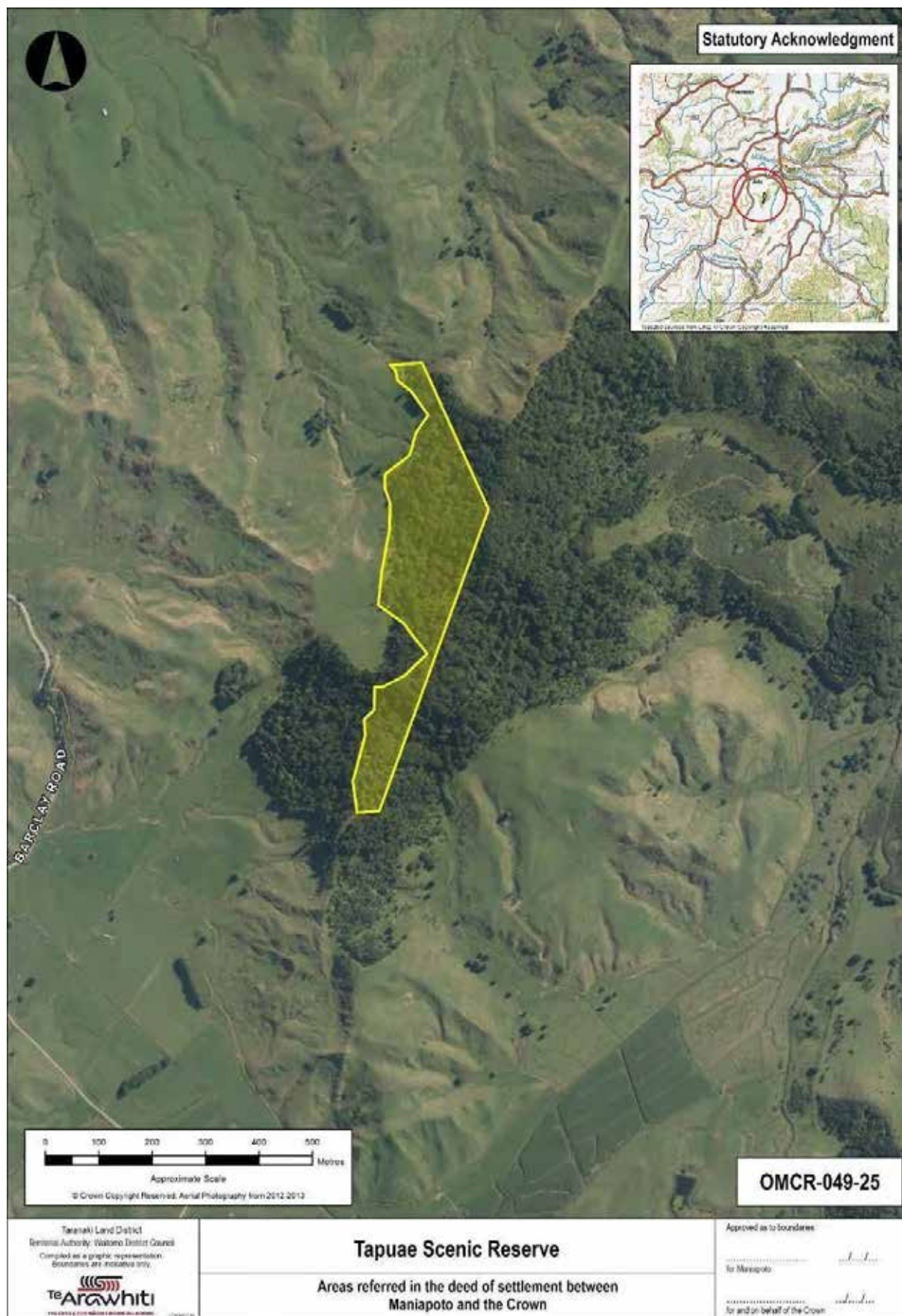


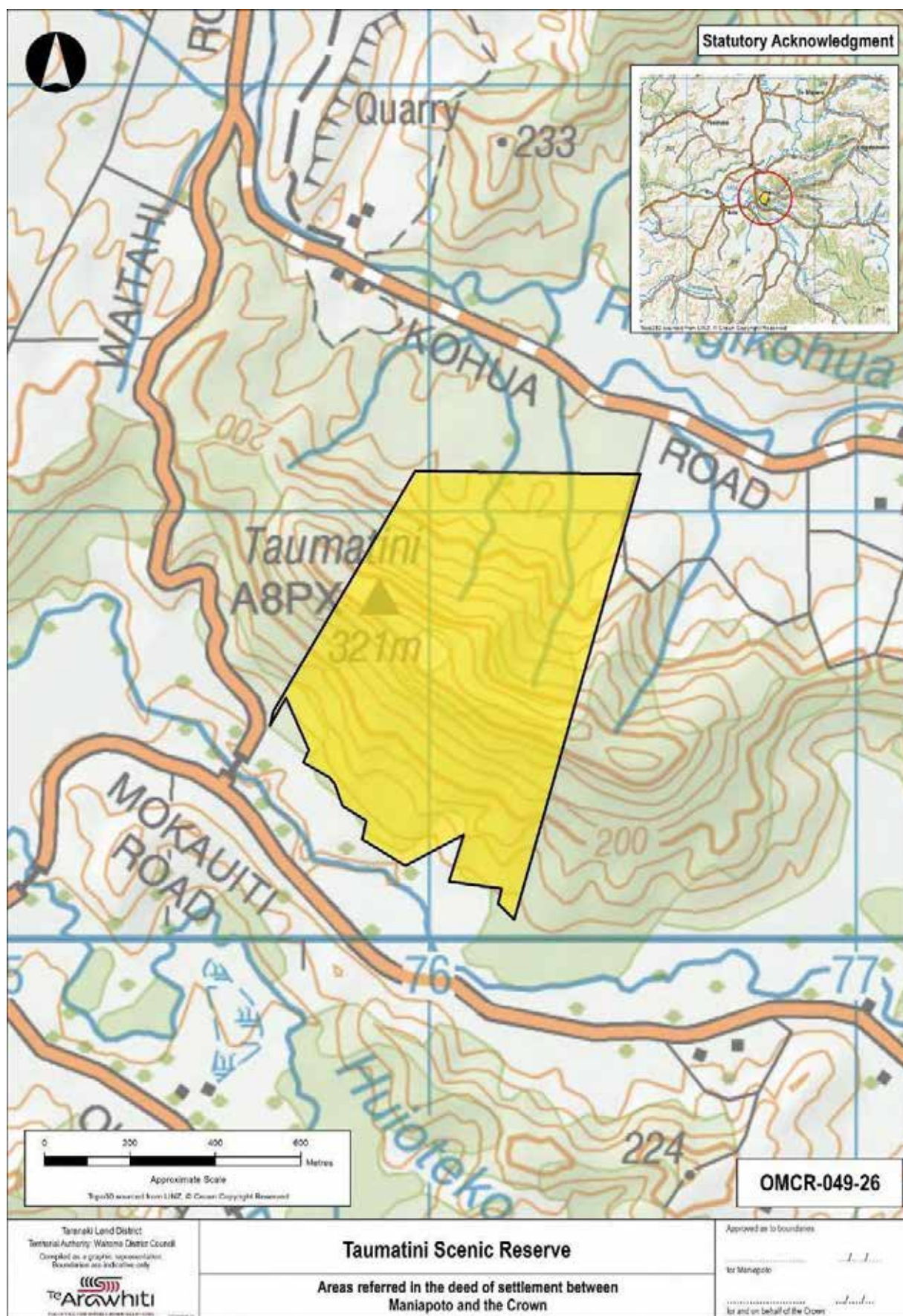




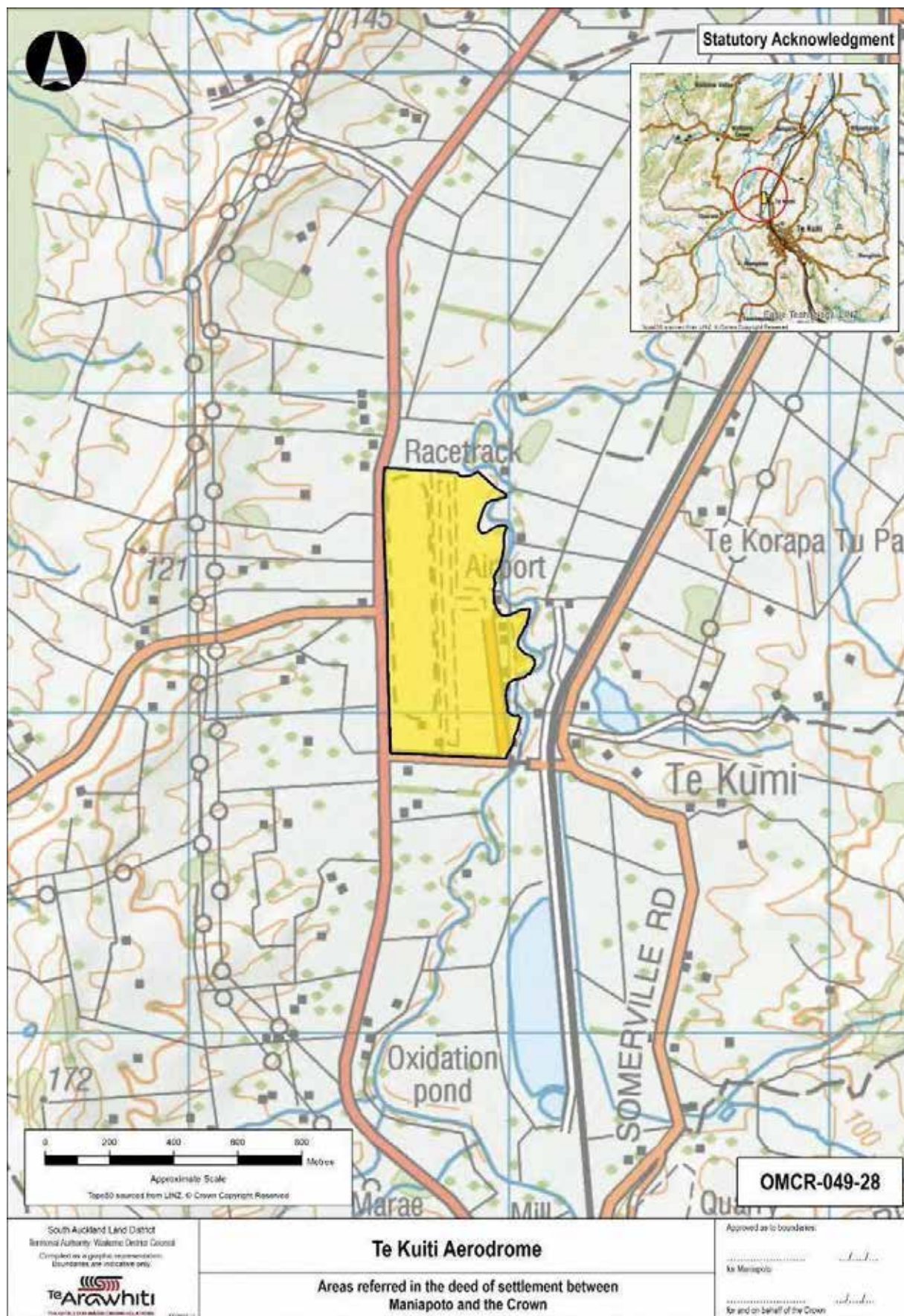








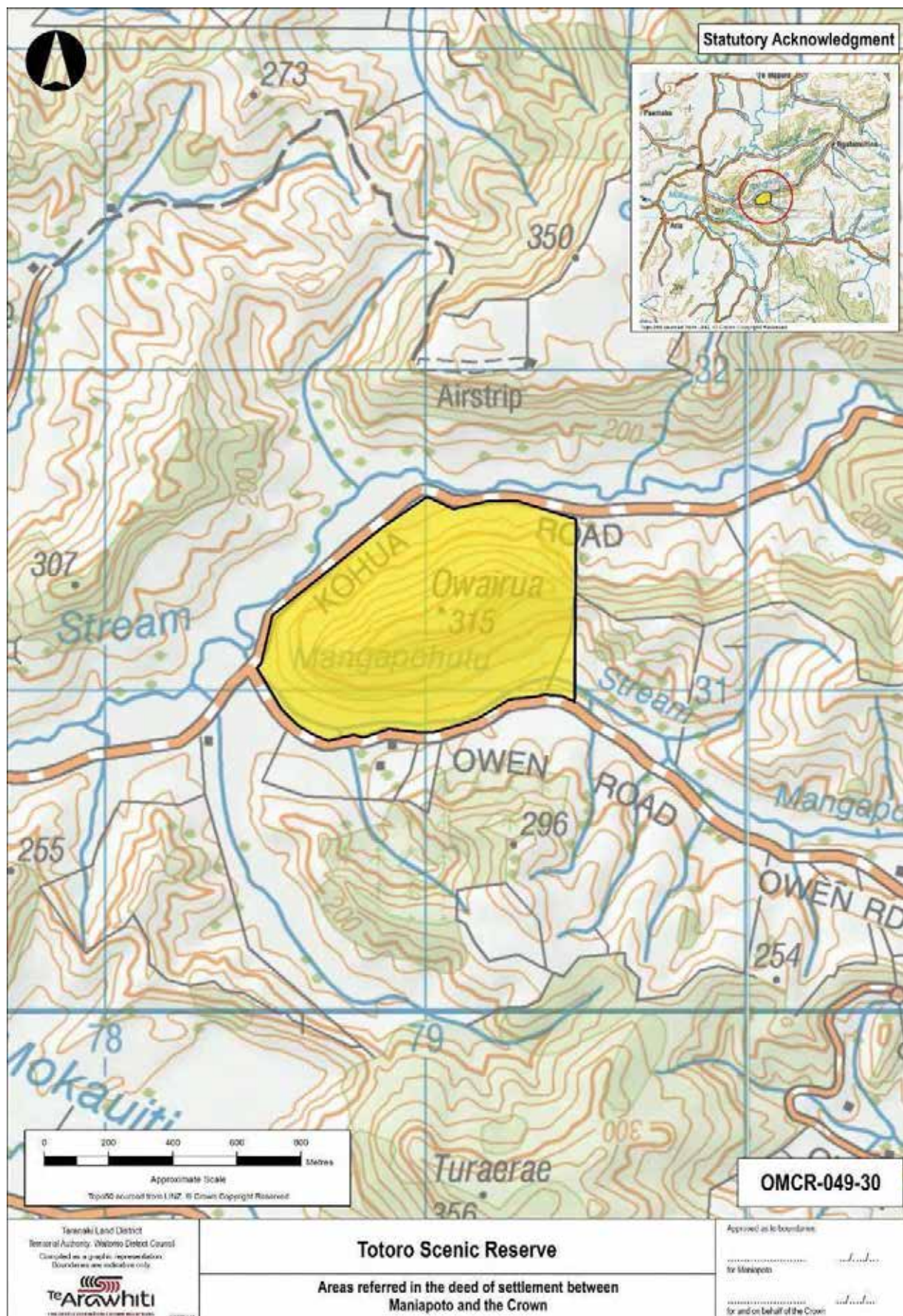
2: DEED PLANS

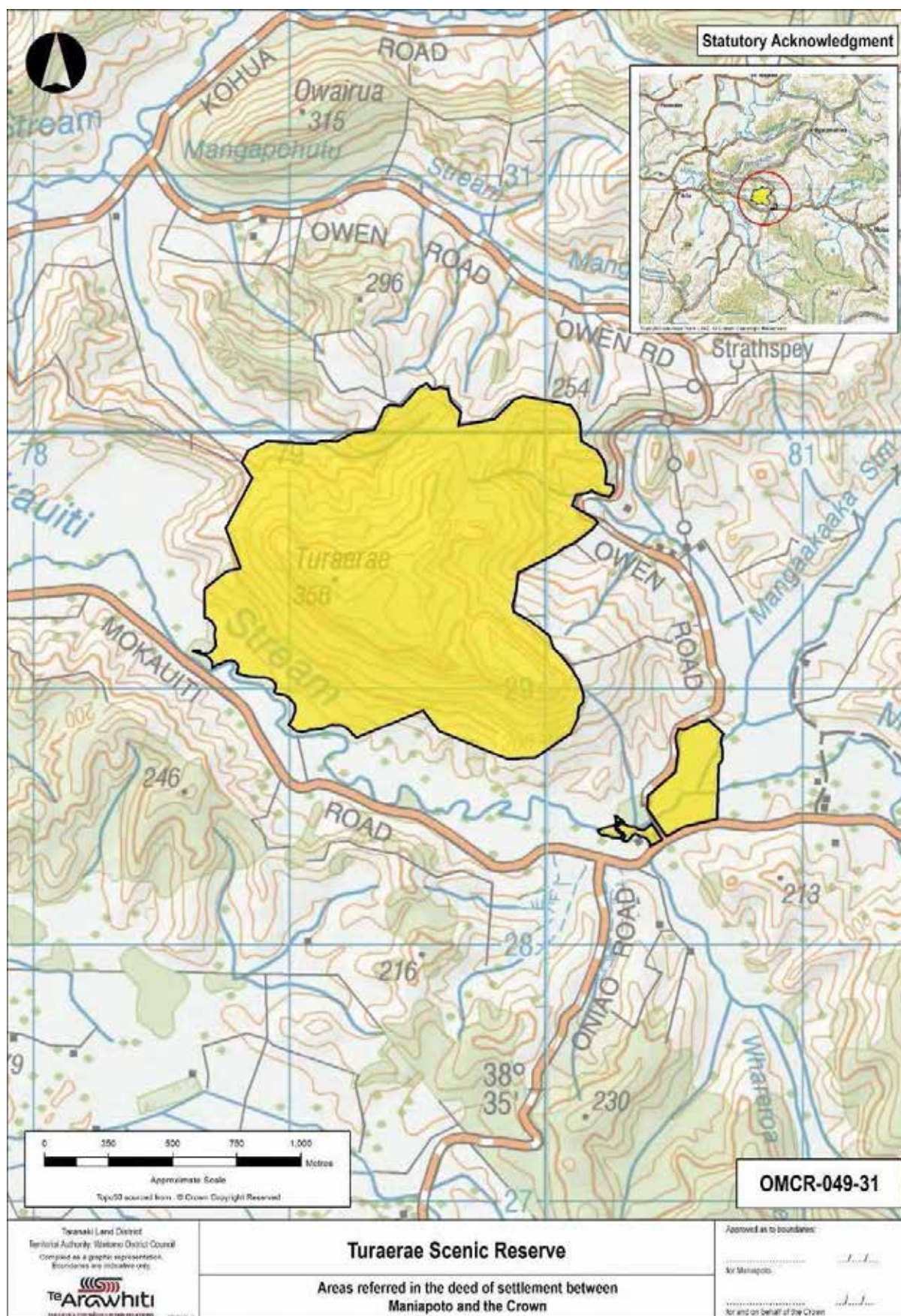


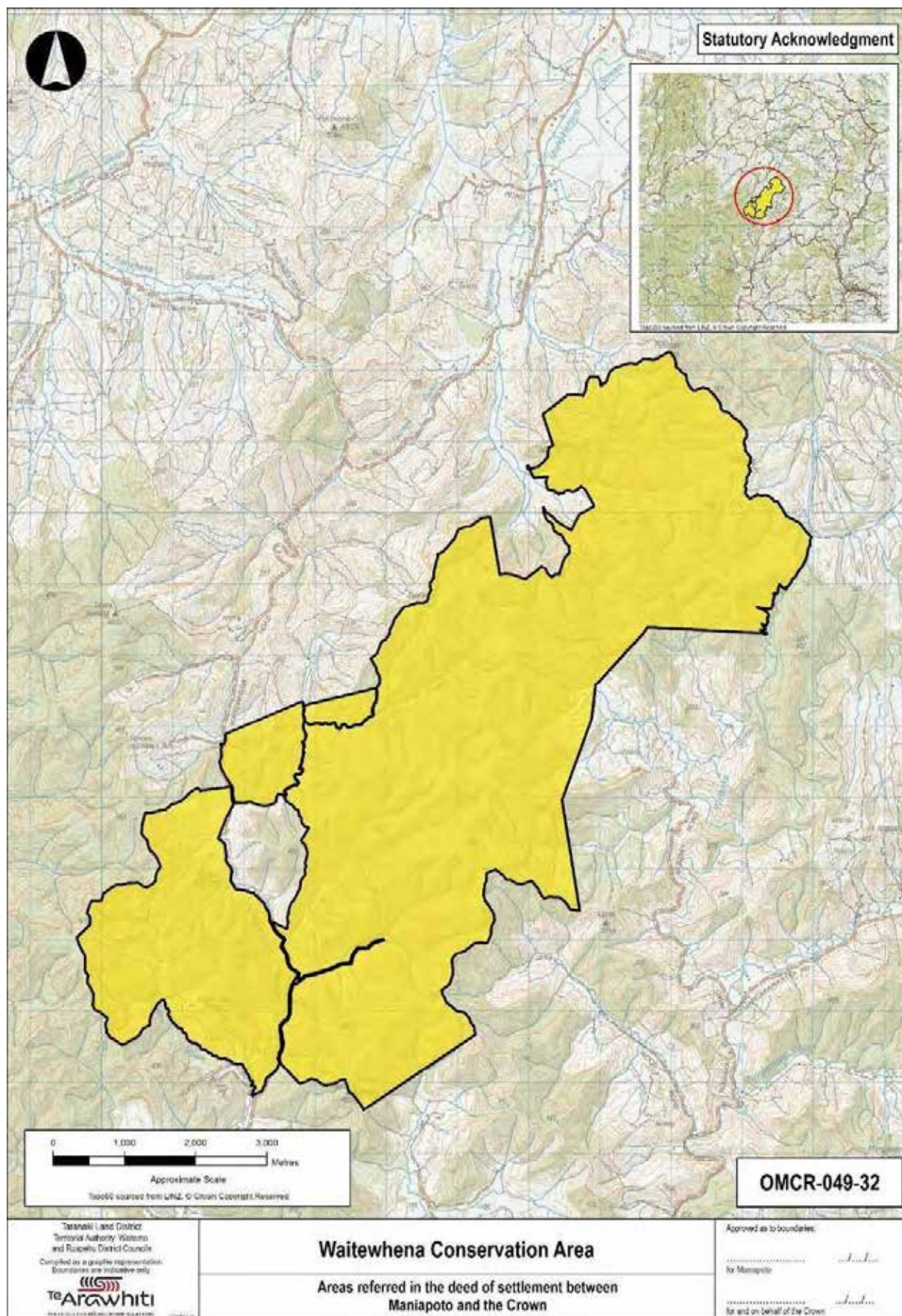
APPENDIX 9

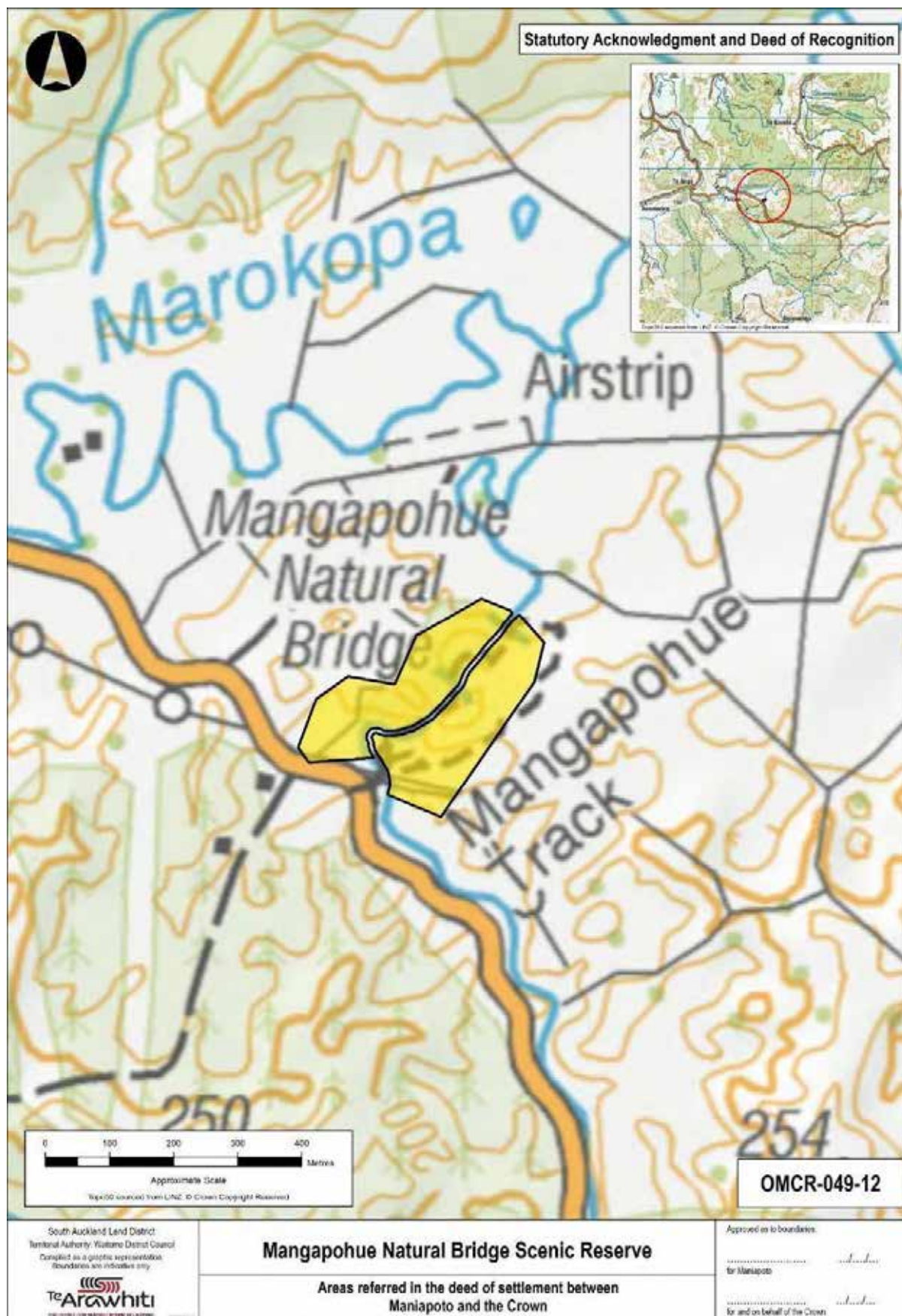


2: DEED PLANS









8. Appendix 3 – Section 32AA Evaluation

13. 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. As no changes were proposed to be made to the Chapters a section 32AA evaluation is not required.

Amendment to the definition of significant hazardous facility – Tranche 2

significant hazardous facility	<p>means any facility which involves one or more of the following activities:</p> <ul style="list-style-type: none"> (a) Manufacturing and associated storage of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids/alkalis or paints); (b) Oil and gas exploration and extraction facilities; (c) Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply; (d) The above ground storage of more than 50,000 L of petrol; and (e) The aboveground storage of more than 100,000 L of diesel; (f) The storage/use of more than 6 tonnes of LPG; (g) Galvanising plants; (h) Electroplating and metal treatment facilities; (i) Tanneries; (j) Timber treatment; (k) Freezing works and rendering plants; (l) Wastewater treatment plants; (m) Metal smelting and refining (including battery refining or recycling); (n) Milk treatment plants; (o) Fibreglass manufacturing; (p) Polymer foam manufacturing; (q) Asphalt/bitumen manufacture or storage; (r) Landfills; (s) The storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling, or treatment; and (t) Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016. <p>For the avoidance of doubt, the following activities are not significant hazardous facilities:</p> <ul style="list-style-type: none"> (i) The incidental use and storage of hazardous substances in minimal domestic scale quantities; (ii) Retail outlets for hazardous substances intended for domestic usage (eg supermarkets, hardware stores, and pharmacies);
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	<ul style="list-style-type: none"> (iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities; (iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage; (v) Fuel in motor vehicles, boats, airplanes and small engines; (vi) Temporary Military training activities; (vii) The transport of hazardous substances; and (viii) Emergency management activities; <u>and</u> (ix) <u>The underground storage of petrol and diesel at service stations and underground storage of jet fuel at airports that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation</u>
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Effectiveness and efficiency

14. It is considered that the amended definition in relation to the addition will ensure that underground storage of petrol and diesel at service stations and underground storage of jet fuel at airports that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation will not be captured by the definition of a significant hazardous facility. This wording is effective and efficient as it was not the intention of this definition to capture these kinds of activities.

Costs and benefits

15. It is considered that there will be an economic benefit and a reduction in costs, as those wishing to undertake these activities would have been previously captured by the definition. There is not considered to be any social, cultural or environmental costs or benefits as a result of amending the definition.

Risk of acting or not acting

16. It is considered that there is sufficient information to justify the changes above. The amended definition will ensure consistency with higher order policy documents, and will ensure that activities that were not meant to be captured by the definition are not.

Decision about most appropriate option

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

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 42. General Rural Zone

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 42 the general rural zone. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9) and Appendices and Schedules (Part 4).
2. The chapter seeks to enable a broad range of rural land uses while safeguarding rural character and avoiding land use conflict, particularly reverse sensitivity effects. The focus of this zone is to make active provision for primary production.

2. Hearing arrangements

3. The hearing was held in person and online **on 16 and 17 July 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**.
4. The following parties submitted on this chapter.

Submission no	Submitter
46	Federated Farmers
14	New Zealand Pork Industry Board (NZPIB)
47	Forest and Bird
53	Director-General of Conservation (DoC)
08	Manulife Forest Management New Zealand Limited (MFMNZL)
42	Ventus Energy
27	Horticulture New Zealand (Hort NZ)
04	New Zealand Agricultural Aviation Association (NZAAA)
12	Heli A1 Limited
19	PF Olsen
23	Balance Agri-Nutrients
16	Fire and Emergency New Zealand (FENZ)
24	Ministry of Education (MoE)

Submission no	Submitter
02	New Zealand Helicopter Association (NZHA)
43	Graymont (NZ) Limited
39	Firstgas
17	Waka Kotahi
30	New Zealand Forest Managers (NZFM)
29	Aggregate and Quarry Association (AQA)
10	Waikato Regional Council (WRC)
38	Te Tokanganui- a-noho Whare (TTRMC)
50	Te Nehenehenui
18	Auckland Waikato Fish and Game (AWFG)
FS12	Manulife Forest Management New Zealand Limited (MFMNZL)
FS04	Farmers Air
FS03	Director-General of Conservation (DoC)
FS08	Graymont (NZ) Ltd
FS14	NZ Defence Force
FS20	Sheryl Paekau
FS17	NZ Speleological Society
FS10	King Country Energy
FS18	Omya
FS13	New Zealand Agricultural Aviation Association (NZAAA)
FS15	New Zealand Helicopter Association (NZHA)
FS07	Grant Lennox
FS23	Te Nehenehenui

Submission no	Submitter
FS05	Federated Farmers
FS19	PF Olsen

5. At the hearing on 16 July 2024, the Panel heard from:

- Alejandro Cifuentes and Sarah Knott on behalf of the Waikato Regional Council
- Benjamin Murray and Terry Calmeyer for Graymont (New Zealand) Ltd
- Hannah Ritchie and Vance Hodgson on behalf of the New Zealand Pork Industry Board (NZPIB)
- Craig Shearer for Ventus Energy
- Tony Michelle for the New Zealand Agricultural Aviation Association and the New Zealand Helicopter Association

6. Evidence was tabled as a written statement from

- Fire and Emergency New Zealand (FENZ)
- The Ministry of Education – **Te Tāhuhu o Te Mātauranga**.

3. Section 42A Report and Addendum Report

7. Unless otherwise stated in the Panel decision below, the Panel has elected to adopt the outcomes of the Section 42A Report and further amendments made in the Section 42A Addendum Report on this chapter.

4. Panel decision

8. The Panel considered the written statement from Fire and Emergency New Zealand (FENZ). The Panel noted that FENZ agreed with the amendment to GRUZ-R46 to exempt emergency service facilities from the maximum building coverage provisions. The Panel also agreed with FENZ that the provisions should refer to SNZ PAS 4509:2008 which sets out what constitutes a sufficient minimum supply of water pressure and volume. They agreed that this standard should be applied to all new buildings within the GRUZ or where a change of building use occurs.

9. The Panel considered a written statement from The Ministry of Education – **Te Tāhuhu o Te Mātauranga**. In the general rural zone, the Ministry seeks that educational activities are provided for as restricted discretionary activities as opposed to retaining the discretionary activity status. The Ministry is concerned that where smaller educational facilities are required to be established (such as health schools that may not be designated), the ability to establish the required facilities relies on a more enabling restricted discretionary activity status.

10. The Panel considered the matter in detail but remained of the view that discretionary status was appropriate. The Panel's concerns centred around

constraining Council's ability to assess broader cumulative impacts, as well as more discrete issues such as the potential for educational activities to generate reverse sensitivity effects and the impact of locating schools in high speed traffic environments. The Panel acknowledged that while some effects can be easily identified as matters of discretion, the general rural environment is highly diverse. As such discretionary activity status was considered to be appropriate.

11. Tony Michelle appeared at the hearing on behalf of the New Zealand Agricultural Aviation Association (NZAAA). The Panel noted NZAAA's support for the amendments to GRUZ-R15, and the revised definitions of 'agricultural aviation activities', 'agricultural, pastoral and horticultural activities' and 'farm airstrips and farm helipads'.
12. Mr Michelle also appeared on behalf of the New Zealand Helicopter Association (NZHA). **The Panel noted NZHA's support for the revised definitions of 'agricultural aviation activities', 'agricultural, pastoral and horticultural activities' and 'farm airstrips and farm helipads'.**
13. Mr Michelle **did not agree that the term 'farm helipad'** is used in the plan instead of a 'helicopter landing area'. **The submitter** noted that other district plans have adopted the term 'helicopter landing areas'. The NZHA would like to see a clarification stating that either the 'farm helipad' or 'helicopter landing area' is not intended for temporary and infrequent operations and that permanent, fixed-base operations would require a resource consent.
14. The Panel noted that the proposed definition is *'any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing'*. The NZHA noted that not all helicopter operations are agricultural by nature, such as construction, maintenance, and repairs of assets and equipment.
15. The Panel was of the view that the proposed definition was too encompassing. The Panel agreed with the section 42A report that the general rural zone sought to enable agricultural aviation to support primary production. This did not extend to the wholesale inclusion of helicopter operations for commercial and tourism purposes. The main premise is to enable agricultural aviation activities, and therefore it is important to clearly define the parameters of these so they can progress unhindered and not be unintentionally captured by the operation of other activities. **The Panel's preference is to retain the term 'farm helipad'.**
16. Benjamin Murray and Terry Calmeyer appeared at the hearing on behalf of Graymont (New Zealand) Ltd. **The Panel noted Graymont's support for the amendments to GRUZ-O15, P3, P5 and P12.**
17. Mr Murray and Ms Calmeyer presented evidence in regard to **Graymont's** Te Kūiti Kiln and its regional significance. Graymont is concerned to ensure any zoning changes within the vicinity of its Te Kūiti Kiln site do not affect production methods, have reverse sensitivity effects, or cause other implications for its onsite activities. They are concerned that the proposed adjacent natural open space zone might not provide the scale of protection that is envisaged by the Waikato Regional Policy Statement for a site of such regional importance. Both presenters requested an amendment to the provisions to specifically recognise the regional significance of the Te Kūiti site.
18. The Panel agreed with Mr Murray and Ms Calmeyer that the Te Kūiti Kiln meets the criteria as regionally significant industry. Accordingly, the Panel directed changes to the industrial zone's **overview to recognise this. The Panel considered**

that the industrial zoning was more appropriate than rural production zoning where the other sites of regional significance are scheduled. However, they agreed with the submitters that this did not preclude identification of the site as follows:

Overview

....In these locations, a higher level of amenity is expected to ensure the potential for reverse sensitivity effects is minimised.

In line with the provisions of the Waikato Regional Policy Statement, the Graymont Te Kūiti Kiln on Beros Road is recognised as a site of regionally significant industry. This status signals that the industrial activities on the site may have effects on the adjacent natural open space and general rural zones, beyond those which are generally anticipated in those zones.

It is critically important that industrially zoned land

19. Alejandro Cifuentes and Sarah Knott appeared at the hearing on behalf of the Waikato Regional Council. The Panel agreed with their comments on the definition of highly productive land and the amendments to GRUZ-O4; and noted that the appropriate changes were proposed in the section 42A addendum report.
20. Craig Shearer appeared for Ventus Energy. The Panel noted **Ventus Energy's** support for GRUZ-O8, O7 and GRUZ-P6. **The Panel considered Mr Shearer's evidence on the inclusion of 'new uses of rural land' in GRUZ-O3**, noting that the greater concern appeared to lie with GRUZ-O5 which seeks to 'ensure rural character and amenity is maintained and where possible, enhanced'.
21. Mr Shearer observed that **if rural character and amenity are to be "maintained and enhanced", then the plan should specify those areas worthy of maintenance** of enhancement and provide for them. The Panel noted that a number of overlays are provided for in the general rural zone. The Panel considered that rural character and amenity should not be conflated with these identified areas. The Panel found that this argument misunderstood the nature of rural character and amenity, which does not represent rare or mappable features. Instead, these qualities are inherent rural-zone-wide qualities that derive from cumulative patterns of land use, openness and landscape form. The Panel considered that the policy approach in GRUZ-O5 was appropriate, and gave effect to section 7(c) and (f).
22. The Panel did not agree with Mr Shearer that setting out the elements of rural character that comprise the wider rural environment in the overview section meant that no change can occur in the general rural zone. The Panel observed that it is appropriate to identify and describe the elements of a zone and its environment in a plan. The Panel considered that describing the elements of rural character does not freeze the zone in time, but rather it ensures that future change occurs in a way that is sympathetic to the existing environment, while also accepting and recognising that it may change. Additionally, the Panel noted that the overview section provides context rather than constraint.
23. In respect of GRUZ-P3, the Panel observed that the main issue appears to centre on whether or not energy infrastructure is a key component of the general rural zone. The Panel determined that while energy infrastructure may be present in the general rural zone and appropriate, it is not a defining component of it in the same way that primary production activities are. The zone largely exists to support primary production. The Panel found that treating energy infrastructure **as a "key component" risks distorting the purpose of the zone** (while still recognising it as an important and necessary activity) and elevating a supporting

activity above the land uses the zone is designed to enable. The Panel did not recommend that any changes were made to the provisions.

24. Hannah Ritchie and Vance Hodgson appeared at the hearing on behalf of the New Zealand Pork Industry Board (NZPIB). The Panel considered the comprehensive information presented, and agreed with the submitters that the activity status of intensive indoor primary production could be amended from discretionary to restricted discretionary. The Panel considered the examples provided by NZPIB from other local authorities and felt that the matters of discretion could be articulated in a way that was comprehensive enough to address the full range of environmental effects which might arise.
25. The Panel directed that the following new definition and rule are added to the zone provisions:

intensive outdoor primary production (pig farming) means a primary production activity involving the keeping or rearing of pigs that principally occurs outdoors which, by the nature of the activity, precludes the maintenance of pasture or ground cover. Excludes outdoor (extensive) pig farming.

<u>GRUZ-RX.</u>	<u>Intensive indoor primary production and Intensive Outdoor Primary Production (Pig Farming)</u>
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Activity status: RDIS

Where:

1. All of the performance standards in GRUZ – Table 2 are complied with; and
2. As measured from the perimeter of any treatment systems, structures or paddocks housing animals (and hardstand areas associated with those), intensive indoor primary production must be located at least:
 - (i) 500 m from any existing building housing a residential activity or a sensitive activity on a separate holding; and
 - (ii) 1 km from any boundary of the rural lifestyle, settlement, residential, open space, future urban, tourism or Māori purpose zones or the amenity precinct.

Matters over which discretion is restricted:

- (a) The extent to which the site will operate in accordance with an approved Farm Environment Plan or relevant industry codes of practice; and
 - (b) Visual effects including bulk, scale and location of the structures and landscape planting; and
 - (c) Potential reverse sensitivity effects on any adjoining rural activities; and
 - (d) The effect on surrounding properties, rural character and amenity; and
 - (e) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and
 - (f) The layout, design and location of the activity, including consideration of wind and climate patterns and the topographical and geographical features affecting odour, dust, visual impact and noise; and
 - (g) The effects of increased traffic and the timing of traffic generation; and
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-
- (h) The likely effects on persons living and working in the locality from noise, odour, traffic, and nuisances such as vermin and flies; and
- (i) Any means proposed to avoid or mitigate the likely nuisance; and
- (j) Whether the site is suitable for and can physically accommodate proposed waste treatment and disposal methods given the number of animals accommodated and the volume of wastes generated.

Activity status where compliance is not achieved: DI S

26. The Panel found that the rule (above) struck the right balance between enabling the activity and managing its potential effects on the environment and nearby sensitive land uses. They agreed that intensive farming was a legitimate land use in the general rural zone, which is fundamentally a working landscape intended to support diverse primary production systems. The Panel also found that the comprehensive matters of discretion were necessary to ensure that site-specific impacts are fully assessed. The Panel also considered that the specified setbacks **(500 m from houses, 1 km from sensitive zones) are evidence-based** buffers that reduce the risk of reverse sensitivity and minimise nuisance effects like odour, noise, and dust.
27. The Panel directed consequential amendments to GRUZ-O7, P3.3, P8, P16, GRUZ-NEW and R42. **The Panel noted NZPIB's support for the s42A recommendation to provide a permitted activity pathway for the burying of material infected by unwanted organisms as a new rule in the hapori whānui chapter.**
28. The Panel agreed with the aim of chapter 42 to provide for a productive, pastoral working environment primarily used for farming, forestry, and intensive indoor primary production and their supporting activities. It also accommodates mineral extraction activities, tourism, rural industry and recreation activities that depend on a rural location. The Panel found that:
- The zone plays a key role in supporting food security, which should be protected.
 - Activities such as intensive indoor primary production, mineral extraction and commercial forestry should be provided for in the general rural zone if their effects can be managed appropriately. Once they are in situ, the plan needs to ensure that reverse sensitivity issues are not introduced which affects their operation.
 - Use of rural resources must be carefully managed to avoid adverse impacts on water quality, soil stability, and catchment health. This is particularly critical in sensitive areas such as the Upper Waipa catchment and karst landscapes.
 - The zone appropriately provides for special precincts: the Amenity Precinct (PREC6), which preserves rural character along key state highways, and the Aerodrome Precinct (PREC3), which supports aviation and potential transport hub functions.
 - It is appropriate and necessary to provide indicative areas for rural production activities to pre-empt future land use conflict.

29. Otherwise, unless stated in the Panel decision above, the Panel has elected to adopt the recommendations in the Section 42A Report and the Section 42A Addendum Report on this chapter.

5. Conclusion

30. The Panel accepts the recommendations in the section 42A reports and where noted above, 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.
31. Overall, the Panel is satisfied that the provisions of this chapter, as amended, will provide a suitable framework to enable a broad range of primary production activities while safeguarding the rural environment, its character and amenity.
32. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel



Greg Hill, Chair
Dated: 19 June 2025

6. Appendix 1 – Submission Table

General Rural Zone – Submission points

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
46.77	Federated Farmers	Support	Overview	Retain in the Overview of the General Rural Zone the recognition of farming and rural production activities as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept in part
14.26	New Zealand Pork Industry Board (NZPIB)	Support in part	Overview	<p>Amend overview as follows:</p> <p><u>The General Rural Zone is primarily a pastoral working environment, used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location, including tourism and recreation.</u></p> <p><u>The General Rural Zone is recognised for its food production values and the contribution of activities within the zone to domestic and international food security.</u></p> <p>The rural areas of the district are primarily a pastoral, working environment that are reliant on the land and soil resource to support a range of activities including farming, forestry, tourism and recreation</p> <p><u>The zone is also reliant on people and communities to function effectively</u></p>	Accept
46.78	Federated Farmers	Support	Objectives	Retain the objectives for General Rural Zone as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
47.173	Forest and Bird	Support with amendment	GRUZ-O1	Amend GRUZ-O1 as follows: Ensure the inherent life supporting capacity, health and well-being of rural land, ecosystems, <u>indigenous biodiversity</u> , soil and water resources is maintained and where possible enhanced. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS19.100	PF Olsen	Oppose		Disallow submission point	Accept
08.34	Manulife Forest Management New Zealand Limited (MFMNZL)	Support	GRUZ-O1 to O4	Retain as notified.	Accept
FS19.142	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
42.19	Ventus Energy	Support with amendments	GRUZ-O3	Amend GRUZ-O3 as follows: Encourage innovation in the general rural zone that is adaptive to change and promotes rural viability <u>and new uses of rural land while...</u>	Reject
FS05.55	Federated Farmers	Support		Grant the relief sought	Reject
27.58	Horticulture New Zealand (Hort NZ)	Support	GRUZ-O4	Retain as notified.	Reject
14.27	NZPIB	Support in full	GRUZ-O5	Retain as notified.	Accept
42.20	Ventus Energy	Oppose	GRUZ-O5	Delete GRUZ-O5.	Reject
04.25	New Zealand Agricultural Aviation Association	Support	GRUZ-O6	Retain as notified.	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
	(NZAAA)				
FS07.25	Grant Lennox	Support		Allowed	Reject
08.35	MFMNZL	Support	GRUZ-O6	To include plantation forestry Maintain the capacity of rural areas and rural resources to support <u>plantation forestry</u> , agricultural, pastoral and horticultural activities and lawfully established rural-based activities.	Accept
FS19.143	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.39	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN's submission or other supported submissions	Accept
12.25	Heli A1 Limited	Support	GRUZ-O6	Retain as notified.	Reject
FS13.47	NZAAA	Support		Retain the objective as sought	Reject
FS15.28	New Zealand Helicopter Association (NZHA)	Support		Retain the objective as sought	Reject
14.28	NZPIB	Support in part	GRUZ-O6	Amend objective as follows: Maintain the capacity of rural areas and rural resources to support agricultural, pastoral and horticultural activities, <u>intensive primary production activities</u> and lawfully established rural-based activities.	Reject
19.23	PF Olsen	Support in part	GRUZ-O6	Amend GRUZ-O6 to include plantation forestry; Or Replace the list of activities in GRUZ-O6 with the words "primary production".	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS23.77	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Reject
23.15	Balance Agri-Nutrients	Support	GRUZ-O6	Retain as notified.	Reject
14.29	NZPIB	oppose in part	GRUZ-O7	<p>Amend objective as follows:</p> <p>In locations where effects can be appropriately managed, provide for rural-based industry and intensive indoor primary production.</p>	Accept
42.21	Ventus Energy	Support with amendments	GRUZ-O7	<p>Amend GRUZ-O7 to read:</p> <p>In locations where effects can be appropriately managed, provide for rural based industry, <u>such as energy infrastructure</u> and ...</p>	Reject
FS23.168	Te Nehenehenui	Oppose		Oppose where the activity impacts sites and areas of significance to Māori and significant archaeological sites, iwi, hapu and mana whenua cultural values must be provided for	Accept
08.36	MFMNZL	Support	GRUZ-O8	Retain as notified.	Accept
FS19.144	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
14.30	NZPIB	Support in full	GRUZ-O8	Retain as notified.	Accept
16.34	Fire and Emergency New Zealand (FENZ)	Support	GRUZ-O8	Retain as notified.	Accept
24.42	Ministry of Education (MoE)	Support	GRUZ-O8	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.59	Hort NZ	Support with amendment	GRUZ-O8	Amend GRUZ-O8 as follows: <u>Provide for non-rural production activities that are ancillary to rural production activities or have a functional or operational need to locate in the General Rural Zone.</u>	Reject
FS23.93	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
42.22	Ventus Energy	Support	GRUZ-O8	Retain as notified.	Accept
08.36	MFMNZL	Support	GRUZ-O10	Retain as notified.	Accept
FS19.144	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
02.19	NZHA	Support	GRUZ-O10	Retain as notified.	Accept
FS13.19	NZAAA	Support		Retain as notified.	Accept
04.26	NZAAA	Support	GRUZ-O10	Retain as notified.	Accept
FS07.26	Grant Lennox	Support		Allowed	Accept
12.26	Heli A1 Limited	Support	GRUZ-O10	Retain as notified.	Accept
FS13.48	NZAAA	Support		Retain the objective as sought	Accept
FS15.29	NZHA	Support		Retain the objective as sought	Accept
23.16	Balance Agri-Nutrients	Support	GRUZ-O10	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
43.84	Graymont (NZ) Limited	Support with amendment	GRUZ-O10	No specific relief sought but the submitter seeks to retain GRUZ-O10, or parts of this objective that seeks to protect existing lawfully established activities and regionally significant industry from reserve sensitivity effects; and that require mineral and aggregate needs to be taken predominantly from local sources.	Accept
14.31	NZPIB	Support in full	GRUZ-O10	Amend wording as follows: Protect existing lawfully established <u>and permitted primary production</u> activities from reverse sensitivity effects.	Reject
16.35	FENZ	Support	GRUZ-O11	Retain as notified.	Accept
08.36	MFMNZL	Support	GRUZ-O12	Retain as notified.	Accept
FS19.144	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
43.85	Graymont (NZ) Limited	Support with amendment	GRUZ-O12	No specific relief sought but the submitter seeks to retain GRUZ-O12, or parts of this objective that seeks to protect existing lawfully established activities and regionally significant industry from reserve sensitivity effects; and that require mineral and aggregate needs to be taken predominantly from local sources.	Accept
14.32	NZPIB	Support in full	GRUZ-O15	Retain as notified.	Reject
04.27	NZAAA	Support	GRUZ-O15	Retain as notified.	Reject
FS07.27	Grant Lennox	Support		Allowed	Reject
12.27	Heli A1 Limited	Support	GRUZ-O15	Retain as notified.	Reject
FS13.49	NZAAA	Support		Retain the objective as sought	Reject
FS15.30	NZHA	Support		Retain the objective as sought	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
23.17	Balance Agri-Nutrients	Support	GRUZ-O15	Retain GRUZ-O15 as notified.	Reject
27.60	Hort NZ	Support with amendment	GRUZ-O15	Amend GRUZ-O15 to be a policy. And Amend GRUZ-O15(3) as follows: ... rural <u>production activities</u> ... And Add the following new clause to GRUZ-O15: <u>7. Will compromise highly productive land.</u>	Accept in part
39.78	Firstgas	Support	GRUZ-O15	Retain as notified.	Reject
43.86	Graymont (NZ) Limited	Support with amendment	GRUZ-O15	No specific relief sought but the submitter seeks to retain GRUZ-O15, or parts of this objective that seeks to protect existing lawfully established activities and regionally significant industry from reserve sensitivity effects; and that require mineral and aggregate needs to be taken predominantly from local sources.	Reject
46.79	Federated Farmers	Support	Policies	Retain the policies for General Rural Zone as notified. And Any consequential amendments required as a result of the relief sought.	Accept in part
08.37	MFMNZL	Support in part	GRUZ-P1	To include plantation forestry. Ensuring agricultural, pastoral, <u>plantation forestry</u> and horticultural activities predominate in the zone; and	Accept
FS19.145	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.40	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN's submission or other supported submissions	Reject
14.33	NZPIB	Support in full	GRUZ-P1	Retain as notified.	Reject
19.24	PF Olsen	Support in part	GRUZ-P1	It is considered that this is submission point is meant to be GRUZ-P1, but the submitter has listed amend GRUZ-06 to include plantation forestry;	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				Or Replace the list of activities with the words "primary production". (refer submission 19.23).	
FS12.16	MFMNZL	Support		Accept the submission	Accept
FS23.78	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan . Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Reject
24.43	MoE	Support	GRUZ-P1	Retain as notified.	Reject
47.174	Forest and Bird	Support with amendment	GRUZ-P1	Add a new clause to GRUZ-P1 as follows: <u>10. Ensuring the protection of indigenous vegetation and the habitats of indigenous fauna.</u> And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS05.122	Federated Farmers	Oppose		Decline the relief sought	Accept
FS19.101	PF Olsen	Oppose		Disallow submission point	Accept
47.175	Forest and Bird	Oppose	GRUZ-P1.7	Amend GRUZ-P1(7) as follows: Providing for Enabling recreational hunting activities for the purposes of protecting indigenous biodiversity. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
04.28	NZAAA	Support in part	GRUZ-P3	Retain GRUZ-P3 by deleting: farming, forestry, quarrying and add: 5. Recognising that farming, forestry, primary production (including agricultural aviation) and quarrying activities are	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<p>an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects</p> <p>Include the definition of agricultural aviation as sought above.</p>	
FS07.28	Grant Lennox	Support		Allowed	Accept
FS18.01	Omya	Oppose		Do not adopt this change	Reject
08.38	MFMNZL	Support	GRUZ-P3	Retain as notified.	Reject
FS19.146	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Reject
12.28	Heli A1 Limited	Support in part	GRUZ-P3	<p>Retain GRUZ-P3 by deleting: farming, forestry, quarrying and add:</p> <p>5. Recognising that farming, forestry, primary production (including agricultural aviation) and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects</p> <p><u>Include the definition of agricultural aviation as sought above.</u></p>	Accept
FS13.50	NZAAA	Support		Retain and amend the policy as sought	Accept
FS15.31	NZHA	Support		Retain and amend the policy as sought	Accept
14.34	NZPIB	Support in part	GRUZ-P3	<p>Amend policy as follows:</p> <p>Ensure that rural character, amenity and safety is maintained and that reverse sensitivity effects are minimised-avoided <u>mitigated or remedied</u> by:</p> <p>3. Ensuring that buildings housing residential-sensitive activities are appropriately setback from the boundary of a rural production zone or an established site of intensive indoor primary production; and</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS23.59	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Accept
17.120	Waka Kotahi	Support	GRUZ-P3	Retain as notified.	Reject
23.18	Balance Agri-Nutrients	Support with amendment	GRUZ-P3	<p>Amend GRUZ-P3 as follows:</p> <p>5. Recognising that farming, forestry, primary production (including agricultural aviation) and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and</p> <p>And</p> <p>Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.</p>	Accept
27.61	Hort NZ	Support with amendment	GRUZ-P3	<p>Amend GRUZ-P3(3) as follows:</p> <p>Ensuring that buildings housing residential activities are appropriately setback from the boundary of <u>rural production activities</u>, the rural production zone, or an established site of intensive indoor primary production.</p>	Reject
30.22	NZFM	Support	GRUZ-P3	Retain GRUZ-P3 as notified.	Reject
FS19.21	PF Olsen	Support		Allow submission point	Reject
29.05	Aggregate and Quarry Association (AQA)	Support	GRUZ-P3 (5)	Retain as notified.	Reject
42.23	Ventus Energy	Support with amendments	GRUZ-P3	<p>Amend GRUZ-P3(5) as follows:</p> <p>5. Recognising that farming, forestry, and quarrying activities, <u>and energy infrastructure</u> are an ...</p>	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS23.169	Te Nehenehenui	Oppose		Oppose where the activity impacts sites and areas of significance to Māori and significant archaeological sites, iwi, hapu and mana whenua cultural values must be provided for	Accept in part
43.87	Graymont (NZ) Ltd	Support	GRUZ-P3	Retain as notified.	Reject
39.79	Firstgas	Support	GRUZ-P4	Retain as notified.	Accept
08.39	MFMNZL	Support	GRUZ-P5	Retain as notified.	Accept in part
FS19.147	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept in part
17.121	Waka Kotahi	Support in part	GRUZ-P5	Replace the term 'road hierarchy' with 'transport network' within GRUZ-P5, GRUZ-P6, GRUZ-P7 and GRUZ-P12.	Accept in part
27.62	Hort NZ	Support with amendment	GRUZ-P5	Amend all uses of the term 'rural based industry' to 'rural industry'.	Accept in part
43.88	Graymont (NZ) Ltd	Support with amendment	GRUZ-P5	Amend GRUZ-P5(5) as follows: 5. Employing all methods that are <u>considered both necessary and that are practicable</u> , to protect the values of scheduled sites and features.	Accept in part
FS10.23	King Country Energy	Support		Allow	Accept in part
FS23.204	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	Reject
17.121	Waka Kotahi	Support in part	GRUZ-P6	Replace the term 'road hierarchy' with 'transport network' within GRUZ- P5, GRUZ-P6, GRUZ-P7 and GRUZ-P12.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
14.35	NZPIB	Support in full	GRUZ-P6	Retain as notified.	Accept
27.63	Hort NZ	Support	GRUZ-P6	Retain as notified.	Accept
42.24	Ventus Energy	Support	GRUZ-P6	Retain as notified.	Accept
17.121	Waka Kotahi	Support in part	GRUZ-P7	Replace the term 'road hierarchy' with 'transport network' within GRUZ- P5, GRUZ-P6, GRUZ-P7 and GRUZ-P12.	Accept
14.36	NZPIB	Oppose	GRUZ-P7	Amend policy as follows: GRUZ-P7. Tourism activities are enabled provided for in the general rural zone where: 1. <u>There is an functional and operational need for the activity to locate within the GRUZ.</u> 4.2 The operation of lawfully established primary production activities are not compromised by the introduction or intensification of a tourism activity; and...	Accept in part
14.37	NZPIB	Oppose in part	GRUZ-P8	Amend policy as follows: GRUZ-P8. Ensure intensive indoor primary production operates in a way that manages adverse effects including <u>Ensure new intensive indoor primary production activities are separated from existing sensitive activities to prevent adverse effects from noise, glare, traffic generation, visual amenity, rural character, landscape effects and odour.</u>	Accept in part
14.38	NZPIB	Support in part	GRUZ-P9	Amend policy as follows: GRUZ-P9. Where visitor accommodation is proposed, its scale and design must enhance rural amenity, quality and character, and ensure site specific issues including servicing and , transport <u>and reverse sensitivity</u> related effects are appropriately addressed.	Accept
27.64	Hort NZ	Oppose with amendment	GRUZ-P9	Amend GRUZ-P9 as follows: Where visitor accommodation is proposed its scale and design must enhance rural amenity, quality and character <u>and avoid reverse sensitivity effects</u> and ensure	Accept in part
14.39	NZPIB	Support in part	GRUZ-P10	Amend policy as follows: GRUZ-P10: Minimise the potential for residential based visitor accommodation to generate adverse traffic and , noise <u>and reverse sensitivity</u> effects on adjoining properties by restricting maximum occupancy.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.65	Hort NZ	Oppose	GRUZ-P10	Delete GRUZ-P10.	Reject
08.40	MFMNZL	Support	GRUZ-P12	Retain as notified.	Reject
FS19.148	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Reject
10.143	Waikato Regional Council (WRC)	Oppose	GRUZ-P12.8	Add to GRUZ-P12.8 that if removal of high class soils cannot be avoided, the soil should be used to rehabilitate land or soils elsewhere in the region.	Accept in part
10.144	WRC	Oppose	GRUZ-P12.9	Amend the wording to "Controlling and filtering sediment movement at source to prevent entry of sediment into karst and other hydrological systems.	Reject
17.122	Waka Kotahi	Support	GRUZ-P12	Retain as notified.	Reject
29.06	AQA	Support with amendment	GRUZ-P12	Amend GRUZ-P12 by: <ul style="list-style-type: none"> Deleting the word "avoid" Adding the words "offset" and "compensate" 	Accept in part
43.89	Graymont (NZ) Ltd	Support with amendment	GRUZ-P12	Amend GRUZ-P12 as follows: ... Controlling and filtering sediment movement at source to prevent entry of sediment into karst hydrological systems, <u>where practicable</u> ; and <u>As appropriate, employing methods to manage and reduce peak runoff in order to simulate near natural infiltration rates and patterns of karst hydrological systems; and ...</u>	Reject
FS17.11	NZ Speleological Society	Oppose		Disallow	Reject
FS23.205	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan . Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				review.	
17.121	Waka Kotahi	Support in part	GRUZ-P12	Replace the term 'road hierarchy' with 'transport network' within GRUZ- P5, GRUZ-P6, GRUZ-P7 and GRUZ-P12.	Accept
29.07	AQA	Support with amendment	GRUZ-P13	Retain GRUZ-P13 to reflect the wording of RPROZ-P7 in respect of the recognition of the desirability of predominantly local sources.	Accept
43.90	Graymont (NZ) Ltd	Support	GRUZ-P13	Retain as notified.	Accept
08.40	MFMNZL	Support	GRUZ-P13	Retain as notified.	Accept
FS19.148	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
43.91	Graymont (NZ) Ltd	Support	GRUZ-P14	Retain as notified.	Accept
08.40	MFMNZL	Support	GRUZ-P14	Retain as notified.	Accept
FS19.148	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
43.92	Graymont (NZ) Ltd	Oppose with amendment	GRUZ-P15	Amend GRUZ-P15 as follows: <u>In the first instance, avoid modification to abiotic and biotic cave features by protecting the immediate radius around cave entries and sinkholes from earthworks and vegetation disturbance. Where this is not practicable, employ appropriate remediation, mitigation measures and/or offsetting mechanisms to ensure that there is a net ecological gain in terms of the broader localities abiotic and biotic features.</u>	Reject
FS17.12	NZ Speleological Society	Oppose		Disallow	Accept
FS23.206	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	
14.40	NZPIB	Support in full	GRUZ-P16	Retain as notified.	Accept
04.29	NZAAA	Support in part	GRUZ-R1	Amend the definition for agricultural, pastoral and horticultural activities to include agricultural aviation activities as sought above.	Accept in part
FS07.29	Grant Lennox	Support		Allowed	Accept in part
12.29	Heli A1 Limited	Support in part	GRUZ-R1	Amend the definition for agricultural, pastoral and horticultural activities to include agricultural aviation activities as sought above.	Accept in part
FS13.51	NZAAA	Support		Amend the rule as sought	Accept in part
FS15.32	NZHA	Support		Amend the rule as sought	Accept in part
14.41	NZPIB	Support in full	GRUZ-R1	Retain as notified.	Accept
23.19	Balance Agri-Nutrients	Support with amendment	GRUZ-R1	Amend the definition of 'agricultural, pastoral and horticultural activities' to include agricultural aviation activities as sought above to ensure activity is included in GRUZ-R1. And Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.	Accept in part
FS13.62	NZAAA	Support		Amend the definition as sought	Accept in part
FS15.44	NZHA	Support		Amend the definition as sought	Accept in part
27.66	Hort NZ	Support with amendment	GRUZ-R1	Rename 'agricultural, pastoral and horticultural activities' as rural production activities.	Reject
46.80	Federated Farmers	Support	GRUZ-R1	Retain GRUZ-R1 as notified. And Any consequential amendments required as a result of the relief sought.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
14.42	NZPIB	Support in full	GRUZ-R2	Retain as notified.	Accept
46.81	Federated Farmers	Support	GRUZ-R2	Retain GRUZ-R2 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
38.97	TTRMC	Support	GRUZ-R3	Retain as notified.	Accept
FS20.126	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
46.82	Federated Farmers	Support	GRUZ-R3	Retain GRUZ-R3 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
50.27	TNN	Support	GRUZ-R3	Retain as notified.	Accept
FS20.225	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
46.83	Federated Farmers	Support	GRUZ-R4	Retain GRUZ-R4 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
27.67	Hort NZ	Support with amendment	GRUZ-R5	Amend GRUZ-R5 by renaming 'Artificial screens' as 'Artificial shelter'	Accept
46.84	Federated Farmers	Support	GRUZ-R5	Retain GRUZ-R5 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
14.43	NZPIB	Support in full	GRUZ-R6	Retain as notified.	Accept
46.85	Federated Farmers	Support	GRUZ-R6	Retain GRUZ-R6 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.86	Federated Farmers	Support	GRUZ-R7	Retain GRUZ-R7 as notified. And Any consequential amendments required as a result of the relief sought.	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
14.44	NZPIB	Oppose	GRUZ-R7	Amend activity status to Restricted Discretionary and include setbacks for reverse sensitivity in the matters for discretion.	Accept
27.68	Hort NZ	Oppose	GRUZ-R7	Delete residential based visitor accommodation from GRUZ-R7. And Add a standard for visitor accommodation in the General rural zone as a permitted activity for up to 8 visitors at any one point in time.	Accept
16.36	FENZ	Support	GRUZ-R8	Retain as notified.	Accept
46.87	Federated Farmers	Support	GRUZ-R8	Retain GRUZ-R8 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.88	Federated Farmers	Support	GRUZ-R9	Retain GRUZ-R9 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.89	Federated Farmers	Support	GRUZ-R10	Retain GRUZ-R10 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.90	Federated Farmers	Support	GRUZ-R11	Retain GRUZ-R11 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.91	Federated Farmers	Support	GRUZ-R12	Retain GRUZ-R12 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.92	Federated Farmers	Support	GRUZ-R13	Retain rule GRUZ-R13 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
18.32	Auckland Waikato Fish and Game (AWFG)	Support	GRUZ-R14	Retain as notified.	Accept
46.93	Federated Farmers	Support	GRUZ-R14	Retain rule GRUZ-R14 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.94	Federated Farmers	Support	GRUZ-R15	Retain rule GRUZ-R15 as notified. And Any consequential amendments required as a result of the relief sought.	Reject
04.30	NZAAA	Support in part	GRUZ-R15	Retain the rule and add: 2. Clearance of indigenous scrub vegetation (manuka,	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<p>kanuka, tree ferns) outside of an identified significant natural area for pasture reinstatement, <u>weed control</u> or for a building platform must:</p> <p>(i) Not occur within 5 m of a water body; and</p> <p>Not be cleared if the vegetation is greater than 5 m in height.</p>	
FS07.30	Grant Lennox	Support		Allowed	Accept
FS23.12	Te Nehenehenui	Oppose		Te Nehenehenui have stated support for other submitters' submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
12.30	Heli A1 Limited	Support in part	GRUZ-R15	<p>Retain the rule and add:</p> <p>2. Clearance of indigenous scrub vegetation (manuka, kanuka, tree ferns) outside of an identified significant natural area for pasture reinstatement, <u>weed control</u> or for a building platform must:</p> <p>(i) Not occur within 5 m of a water body; and</p> <p>Not be cleared if the vegetation is greater than 5 m in height.</p>	Accept
FS13.52	NZAAA	Support		Retain the rule and add as sought	Accept
FS15.33	NZHA	Support		Retain the rule and add as sought	Accept
27.69	Hort NZ	Support with amendment	GRUZ-R15	<p>Amend GRUZ-R15 as follows:</p> <p><u>3) Removal of material infected by unwanted organisms under the Biosecurity Act 1993</u></p>	Accept
30.23	NZFM	Not stated	GRUZ-R15	No specific decision requested, but submission considers that GRUZ- R15 very tightly restricts the clearance of indigenous vegetation by providing for only two activities – for pasture reinstatement and for a building platform.	Reject
FS19.22	PF Olsen	Support		Allow submission point	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
47.176	Forest and Bird	Oppose	GRUZ-R15	Delete or Amend GRUZ-R15 for consistency with new Rule ECO Rule A to D sought elsewhere in the submission. And Any consequential changes or alternative relief to achieve the relief sought.	Reject To be further considered in the ecosystems and indigenous biodiversity chapter
FS05.123	Federated Farmers	Oppose		<u>Advice note: rules in other chapters relating to overlays may also apply.</u> <u>New ECO Rule C - DIS</u> <u>The clearance of indigenous vegetation that does not comply with Rules ECO Rule B and is not NC under ECO Rule D and any other indigenous vegetation clearance not specifically provided for is a DIS activity</u> <u>New ECO Rule D - NC</u> <u>The clearance of indigenous vegetation that does not comply with conditions 1 and 2 of Rule ECO Rule B is a NC activity.</u> And Make any consequential changes to the SUB chapter to ensure that subdivision on any site with indigenous biodiversity undertakes an assessment applying the significance criteria in Appendix 5 of the WRPS. And Incorporate the Threatened Environment Classification by way of reference into the Plan: https://www.landcareresearch.co.nz/tools-and-resources/mapping/threatened-environment-classification/ And Add or Amend the note under HW-R8 to refer to the need to comply with ECO rules, including ECO-RA relating to the clearance of indigenous vegetation for fencing. And Any consequential changes or alternative relief to achieve the relief sought.	Accept To be further considered in the ecosystems and indigenous biodiversity chapter
FS19.102	PF Olsen	Oppose		Disallow submission point	Accept To be further considered in the ecosystems and

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
					indigenous biodiversity chapter
19.25	PF Olsen	Support in part	GRUZ-R15	<p>Amend GRUZ-P15(1) and (2) by removing the reference to pasture reinstatement and broaden the rule to apply to primary production purposes.</p> <p>For example (or with words to similar effect);</p> <ol style="list-style-type: none"> 1 Clearance of non-indigenous vegetation (excluding plantation forestry) for primary production or for a building platform where this is located outside of an identified significant natural area is permitted; and 2 Clearance of indigenous scrub vegetation (manuka, kanuka, tree ferns) outside of an identified significant natural area for primary production or for a building platform must <ol style="list-style-type: none"> i. Not occur within 5 m of a water body; and ii. Not be cleared if the vegetation is greater than 5 m in height. 	Reject
FS23.79	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Accept
08.42	MFMNZL	Oppose	GRUZ-R16	Delete GRUZ-R16.	Accept
FS19.150	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.42	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN’s submission or other supported submissions	Accept
19.26	PF Olsen	Oppose	GRUZ-R16	Delete GRUZ-R16.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS12.17	MFMNZL	Support		Accept the submission to delete rule GRUZ R16.	Accept
30.24	NZFM	Oppose	GRUZ-R16	Delete GRUZ-R16.	Accept
FS19.23	PF Olsen	Support		Allow submission point	Accept
08.43	MFMNZL	Oppose	GRUZ-R17	Delete GRUZ-R17.	Accept
FS05.28	Federated Farmers	Oppose		Decline the relief sought	Reject
FS19.151	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.43	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN's submission or other supported submissions	Accept
19.27	PF Olsen	Support in part	GRUZ-R17	Delete GRUZ-R17. OR Amend GRUZ-R17 to regulate subdivision, avoiding rezoning to rural lifestyle and restricting urban spread onto/of highly productive land.	Accept
FS05.41	Federated Farmers	Oppose		Decline the relief sought	Reject
30.25	NZFM	Oppose	GRUZ-R17	Delete GRUZ-R17.	Accept
FS19.24	PF Olsen	Support		Allow submission point	Accept
46.107	Federated Farmers	Oppose	GRUZ-R17	Delete GRUZ-R17. And Any consequential amendments required as a result of the relief sought.	Accept
FS19.167	PF Olsen	Support		Allow submission points	Accept
17.123	Waka Kotahi	Support in part	GRUZ-R18	Replace the term ' vehicle movements ' with ' equivalent car movements '.	Reject – see the transport chapter

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.70	Hort NZ	Oppose with amendment	GRUZ-R18	Delete 'motor vehicle repair' from GRUZ-R18 (5).	Reject
17.123	Waka Kotahi	Support in part	GRUZ-R19	Replace the term 'vehicle movements' with 'equivalent car movements'.	Reject – see the transport chapter
14.45	NZPIB	Oppose	GRUZ-R19	<p>Amend rule as follows:</p> <p>GRUZ-R19 Tourism facilities and retail activities Activity Status: PER-RDIS</p> <p><u>Matters over which discretion is restricted:</u></p> <p><u>(a) The functional and operational need of the activity to operate in the proposed location.</u></p> <p><u>(b) The number of facilities or activities per land holding</u></p> <p><u>(c) The hours of operation</u></p> <p><u>(d) Vehicle movements</u></p> <p><u>Potential for reverse sensitivity effects and proposed methods for avoiding, mitigating or remedying effects.</u></p>	Reject
24.45	MoE	Oppose	GRUZ-R23	<p>Delete GRUZ-R23.</p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject
14.46	NZPIB	Support in full	GRUZ-R23	Retain as notified.	Accept
17.124	Waka Kotahi	Support in part	GRUZ-R23	Retain as notified.	Accept
14.46	NZPIB	Support in full	GRUZ-R24	Retain as notified.	Accept
17.124	Waka Kotahi	Support in part	GRUZ-R24	Retain as notified.	Accept
24.44	MoE	Support with amendments	GRUZ-R24	<p>Amend GRUZ-R24 as follows:</p> <p>Educational facilities and cCommunity facilities Activity status: DIS</p> <p>Activity status where compliance is not</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				achieved: N/A And Any consequential amendments required to give effect to the matters raised in this submission.	
14.47	NZPIB	Support in full	GRUZ-R25	Retain as notified.	Accept
27.71	Hort NZ	Support	GRUZ-R25	Retain as notified.	Accept
14.48	NZPIB	Support in full	GRUZ-R30	Retain as notified.	Accept
14.49	NZPIB	Oppose	GRUZ-R31	<p>Amend rule as follows:</p> <p>1. Activity status: Restricted discretionary</p> <p>Where: All hard stand areas, treatment systems, buildings housing animals and any other structures related to an intensive primary production activity are setback 500m from the notional boundary of any sensitive activity on a site under separate ownership.</p> <p>Matters of discretion are restricted to:</p> <p>b. Odour, noise and dust effects c. Impacts on the transport network d. Scale, design and site layout e. Impacts on visual amenity</p> <p>2. Activity status when compliance not achieved: Discretionary.</p>	Accept in Part
FS23.60	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.72	Hort NZ	Oppose with amendment	GRUZ-R31	<p>Delete 'Rural industry' from GRUZ-R31. And Add 'Rural industry' as a permitted activity.</p> <p>And</p> <p>Add a permitted activity standard that provides for rural industry up to 200m² with a default activity status of restricted discretionary and matters of discretion:</p> <ul style="list-style-type: none"> • Effects on rural character • Potential reverse sensitivity effects 	Reject
14.50	NZPIB	Support in part	GRUZ – Table 2 – Performance Standards	Amend numbering of standards in GRUZ Table 2 to clearly differentiate between standards and rules.	Accept
08.44	MFMNZL	Support in part	GRUZ-R37	<p>Add an additional performance standard to GRUZ-R37 as follows:</p> <p><u>3. 30-meter setback for dwellings and all other buildings from neighbouring boundaries in plantation forestry.</u></p>	Accept
FS19.152	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.44	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN's submission or other supported submissions	Accept
14.51	NZPIB	Support in full	GRUZ-R37	Retain as notified.	Accept
16.37	FENZ	Support	GRUZ-R37	Retain as notified.	Accept
46.95	Federated Farmers	Support	GRUZ-R37	Retain performance standards GRUZ-R37 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.96	Federated Farmers	Support	GRUZ-R38	Retain performance standards GRUZ-R38 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
14.52	NZPIB	Support in full	GRUZ-R38	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.73	Hort NZ	Oppose with amendment	GRUZ -R38	<p>Amend GRUZ-R38 as follows:</p> <p>The minimum setback for <u>habitable buildings housing a residential activity</u> from side and rear internal boundaries must be <u>is 20m be</u></p> <p>(i) 5 m on sites 2,500 m² or less; or (ii) 10 m on sites 2,501 m² or greater;</p> <p>OR</p> <p>1. The minimum setback for all other buildings from internal site boundaries must be:</p> <p>(iii) 10 m for buildings less than or equal to 150 m²; or (iv) 25 m for buildings greater than 150 m²;</p>	Reject
FS23.94	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
14.53	NZPIB	Support in full	GRUZ-R39	Retain as notified.	Reject
27.74	Hort NZ	Support with amendment	GRUZ-R39	<p>Amend GRUZ-R39 to:</p> <ul style="list-style-type: none"> • Include building height of 12m • Include a height for frost fans of 15m 	Accept in part
46.97	Federated Farmers	Support	GRUZ-R39	Retain performance standards GRUZ-R39 as notified. And Any consequential amendments required as a result of the relief sought.	Reject
46.98	Federated Farmers	Support	GRUZ-R40	Retain performance standards GRUZ-R40 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
27.75	Hort NZ	Oppose with amendment	GRUZ-40	Amend GRUZ-R40 as follows:	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<p>...closer than any of the distances specified below:</p> <p>(i) 5 <u>1</u> m from the boundary of an adjacent property that is not owned by the owner of the land it is located on; and</p> <p>(ii) 5 m from any road or railway line.</p>	
39.80	Firstgas	Support	GRUZ-R40	Retain as notified.	Accept
14.54	NZPIB	Support in full	GRUZ-R41	Retain as notified.	Accept
46.99	Federated Farmers	Support	GRUZ-R41	Retain performance standards in GRUZ-R41 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.100	Federated Farmers	Support	GRUZ-R42	Retain performance standards GRUZ-R42 as notified. And Any consequential amendments required as a result of the relief sought.	Reject
14.55	NZPIB	Support in part	GRUZ-R42	<p>Amend standard as follows:</p> <p>2. As measured from the perimeter <u>of all hard stand areas, treatment systems, buildings housing animals and any other structures related to an intensive primary production activity of the external walls of the structures housing animals on an established site of intensive indoor primary production,</u> the minimum setback for a building housing a residential <u>sensitive</u> activity must be 500 m.</p>	Accept in part
14.56	NZPIB	Oppose	GRUZ-R43	Delete standard.	Accept in part
46.101	Federated Farmers	Support	GRUZ-R43	Retain performance standards GRUZ-R43 as notified. And Any consequential amendments required as a result of the relief sought.	Accept in part
46.102	Federated Farmers	Support	GRUZ-R44	Retain performance standards GRUZ-R44 as notified. And Any consequential amendments required as a result of the relief sought.	This matter will be addressed in the infrastructure chapter
17.125	Waka Kotahi	Oppose	GRUZ-R44	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	This matter will be addressed in the infrastructure chapter
27.76	Hort NZ	Support with amendment	GRUZ-R44	<p>Amend GRUZ-R44 as follows:</p> <p><u>vi) 300m of a frost fan located on another property</u></p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
14.57	NZPIB	Support in part	GRUZ-R45	Amend activity status where compliance not achieved for farm working units to RDIS. Restrict matters of discretion to: <ul style="list-style-type: none"> • Visual effects • Effects on rural character and amenity • Potential reverse sensitivity effects on any • adjoining rural activities • Parking, manoeuvring and access. 	Reject
46.103	Federated Farmers	Support	GRUZ-R45	Retain performance standards GRUZ-R45 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
46.104	Federated Farmers	Support	GRUZ-R46	Retain performance standards GRUZ-R46 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
14.58	NZPIB	Oppose	GRUZ-R46	Provide an exemption to the standard for buildings associated with primary production activities and for mobile pig shelters, as follows: For sites greater than one hectare the maximum amount of a site which can be covered by buildings is 3%. <u>Excludes:</u> <ol style="list-style-type: none"> <u>Buildings associated with primary production activities</u> <u>Moveable pig shelters, including farrowing huts 30m² in area and less than 2m in height.</u> 	Reject
16.38	FENZ	Oppose	GRUZ-R46	Amend as follows: GRUZ-R46. Maximum <u>building size and building coverage</u> For sites equal to or less than one hectare the maximum amount of a site which can be covered by buildings is 15%; <u>or</u> 2. 500m ² total gross floor area, whichever is greater. 2. <u>3.</u> For sites greater than one hectare the maximum amount of a site which can be covered by buildings is 3%.	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
16.39	FENZ	Support in part	GRUZ-R47	Delete GRUZ-R47(4) and replace with the following: <u>4. 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> And Retain the note as notified.	Accept
46.105	Federated Farmers	Support	Table 2 GRUZ-R47	Retain performance standards GRUZ-R47 as notified. And Any consequential amendments required as a result of the relief sought.	Reject
46.106	Federated Farmers	Support	Table 2 GRUZ-R48	Retain performance standards GRUZ-R48 as notified. And Any consequential amendments required as a result of the relief sought.	Accept
08.41	MFMNZL	N/A	NEW	To provide clarity add a statement referring plantation forestry activities to the NESPF.	Accept
FS23.41	Te Nehenehenui	Support in part		Support in part where the submission points do not conflict with TNN's submission or other supported submissions	Accept
FS19.149	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
24.46	MoE	Amend	NEW RULE	Add a new rule to the General rural zone as follows: GRUZ-RXX Educational facilities Activity status: RDIS Matters over which discretion is restricted: a. <u>The effect on surrounding properties, rural character and amenity; and</u> b. <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> c. <u>The effects associated with layout, design and location of the activity, including operating hours; and</u> d. <u>Parking, manoeuvring and access; safety and efficiency.</u>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<p><u>including the provision of sufficient off-street parking and the effects of traffic generation; and</u></p> <p>e. <u>Provision of on-site infrastructure; and</u></p> <p>f. <u>Potential reverse sensitivity effects on any adjoining rural activities.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.77	Hort NZ	NEW	NEW GRUZ – RX Seasonal Worker Accommodation	<p>Add a permitted activity rule for Seasonal Worker Accommodation in the General rural zone as follows:</p> <p><u>GRUZ-RX – Seasonal Worker Accommodation Activity Status: PER</u></p> <p><u>24. The establishment of a new, or expansion of existing seasonal worker accommodation.</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> <u>The seasonal worker accommodation is associated with horticultural activity.</u> <u>The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities.</u> <u>The accommodation provides for no more than 12 workers.</u> <u>It complies with the Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u> <p><u>Where this activity complies with the following rule requirements: GRUZ S1 – Maximum height</u> <u>GRUZ S2 – Height in relation to boundary GRUZ S3 – Setbacks</u></p> <p><u>Activity status when compliance not achieved:</u> <u>When compliance with GRUZ-RX 1. (a)-(d) is not achieved: RDIS Matters of discretion:</u></p> <ul style="list-style-type: none"> <u>Those matters in GRUZ-RX 1. (a)-(d) that are not able to be met</u> <u>Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening.</u> <u>landscaping and methods for noise control</u> <u>The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008</u> <u>Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u> 	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.78	Hort NZ	New	New rule – GRUZ -RX Artificial crop protection structures	<p>Add a permitted activity rule for Artificial crop protection structures in the General rural zone as follows:</p> <p><u>GRUZ-RX – Artificial Crop Protection Structures and Crop Protection Structures</u></p> <p><u>Activity Status: PER</u></p> <ul style="list-style-type: none"> <u>The establishment of a new, or expansion of an existing artificial crop protection structure or crop support structure.</u> <p><u>Where:</u></p> <ul style="list-style-type: none"> <u>The height of the structure does not exceed 6m; and Either:</u> <u>Green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or</u> <u>The structure is setback 1m from the boundary.</u> <p><u>Where this activity complies with the following rule requirements:</u> <u>GRUZ – S1 Maximum height GRUZ – S4 Setback</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>When compliance with GRUZ-RX (a) is not achieved: RDIS matters of discretion:</u></p> <ul style="list-style-type: none"> <u>Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth</u> <u>Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u> 	Accept in part
23.14	Balance Agri-Nutrients	Support with amendment	Exemptions	<p>Add the following to the list of exempt activities in the General rural zone:</p> <p><u>x. The intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities.</u></p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				And Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.	
FS04.08	Farmers Air	Support		Add to the list of exempt activities as sought.	Reject
FS13.61	NZAAA	Support		Add to the list of exempt activities as sought	Reject
FS15.43	NZHA	Support		Add to the list of exempt activities as sought	Reject
10.142	WRC	Oppose	General	Include a definition for "highly productive soils" based on the definition provided in the WRPS (1.6 - Definitions).	Accept
General Rural Zone Aerodrome Precinct (PREC3)					
16.40	FENZ	Support	PREC3-R4. Emergency service facilities	Retain as notified.	Accept
16.41	FENZ	Support	PREC3-R22	Retain as notified.	Accept
16.42	FENZ	Support in part	PREC3-R27	Delete PREC3-R27(4) and replace with the following: <u>4. 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> And Retain the note as notified.	Accept

Definitions

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
19.01	PF Olsen	Support in part	Afforestation	Add a definition of 'Afforestation'.	Accept
30.01	New Zealand Forest Managers Ltd (NZFM)	New	Afforestation	Add a new definition for 'Afforestation' as per the National Environmental Standards for Plantation Forestry.	Accept
FS19.01	PF Olsen	Support		Allow submission point	Accept
FS23.95	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Reject
12.01	Heli A1 Limited	N/A	Agricultural aviation activities	Add a new definition: <u>Agricultural aviation activities: means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u>	Accept in part
FS04.03	Farmers Air	Support		Allow	Accept in part
FS13.23	NZAAA	Support		Add the definition as sought	Accept in part
FS15.05	New Zealand Helicopter Association	Support		Add the definition as sought	Accept in part
23.02	Balance Agri-Nutrients	Neutral	Agricultural aviation	Add new definition for 'agricultural aviation activities' as follows: <u>means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial</u>	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<u>vehicles (UAV's).</u> And Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.	
FS05.42	Federated Farmers	Support		Grant the relief sought	Accept
04.01	NZAAA (NZAAA)	N/A	Agricultural aviation activities	Add a new definition for <u>Agricultural aviation activities</u> : <u>Agricultural aviation activities:</u> <u>means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u>	Accept in part
FSS3.01	Director-General of Conservation	Support		Supports the proposed definition	Accept in part
FS05.18	Federated Farmers	Support		Grant the relief sought or with wording with similar effect.	Accept in part
FS07.01	Grant Lennox	Support		Allowed	Accept in part
FS23.07	Te Nehenehenui	Oppose		Te Nehenehenui have stated support for other submitters' submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Reject
04.03	NZAAA	Support in part	Agricultural, pastoral and horticultural activities	Amend the definition of agricultural, pastoral and horticultural activities by deleting: Farm airstrips and farm helipads and add: <u>Agricultural aviation activities</u>	Accept
FS03.03	Director-General of Conservation	Support		Supports the relief to the extent it is consistent with her submission	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS07.03	Grant Lennox	Support		Allowed	Accept
12.03	Heli A1 Limited	Support in part	Agricultural, pastoral and horticultural activities	Amend the definition of agricultural, pastoral and horticultural activities by deleting: Farm airstrips and farm helipads and add: Agricultural aviation activities	Accept
FS04.05	Farmers Air	Support		Allow	Accept
FS13.25	NZAAA	Support		Amend the definition as sought	Accept
FS15.07	New Zealand Helicopter Association	Support		Amend the definition as sought	Accept
23.01	Balance Agri-Nutrients	Amend	Agricultural, pastoral and horticultural activities	Amend the definition for 'agricultural, pastoral and horticultural activities' as follows: means the use of land and/or buildings where the primary purpose is to produce livestock, crops and other agricultural produce that relies on the productive capacity of land and maintains the groundcover, including: ... (g) <u>Agricultural aviation activities accessing rural Farm</u> farm airstrips and farm helipads <u>helicopter landing areas.</u> And Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.	Accept in part
27.01	Horticulture NZ (Hort NZ)	Support with amendment	Agricultural, pastoral and horticultural activities	Amend the definition of 'Agricultural, pastoral and horticultural activities' as follows: Agricultural, pastoral and horticultural activities <u>Rural production activities</u> Means the... (i) <u>agricultural aviation</u> (i) <u>ancillary rural earthworks</u> And Any alternative amendments or consequential amendments required to address the concerns raised in the submission.	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS23.80	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept in part
46.05	Federated Farmers	Support	Agricultural, pastoral and horticulture activities	Retain the definition for ' agricultural , pastoral and horticulture activities ' as notified. And any consequential amendments required as a result of the relief sought.	Reject
02.01	NZ Helicopter Association (NZHA)	N/A	Aircraft	Add a new definition: <u>Aircraft means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.</u>	Reject
FS13.01	NZAAA	Support		Add the definition as sought	Reject
04.02	NZAAA	N/A	Aircraft	Add a new definition for aircraft: <u>Aircraft means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.</u>	Reject
FS03.02	Director-General of Conservation	Support		Supports the proposed definition	Reject
FS07.02	Grant Lennox	Support		Allowed	Reject
12.02	Heli A1 Limited	N/A	Aircraft	Add a new definition: <u>Aircraft:</u> <u>Aircraft means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.</u>	Reject
FS04.04	Farmers Air	Support		Allow	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS13.24	NZAAA	Support		Add the definition sought	Reject
FS15.06	New Zealand Helicopter Association	Support		Add the definition as sought	Reject
27.17	Hort NZ	New	Ancillary rural earthworks	<p>Add a new definition for 'ancillary rural earthworks' as follows:</p> <p><u>Ancillary rural earthworks is the disturbance of soil, earth or substrate land surfaces ancillary to primary production that includes:</u></p> <ul style="list-style-type: none"> <u>Land preparation and cultivation (including establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops (farming)</u> <u>Burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993</u> <u>Irrigation and land drainage</u> <u>Maintenance and construction of facilities, devices and structures typically associated with farming activities including but not limited to farm tracks, driveways and unsealed parking areas, stock races, silage pits, farm drains, farm effluent ponds, and feeding lots, fencing, crop protection and sediment control measures</u> <p>And Provide for the activity in the General Rural Zone.</p>	Reject
FS23.82	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
27.02	Hort NZ	Support with amendment	Artificial screen	<p>Amend definition of 'Artificial screen' as follows:</p> <p><u>Artificial screen-shelter</u> means a man-made structure for the purpose of providing wind shelter <u>and to mitigate spray drift that is greater than 2 m high.</u></p> <p>And Any alternative amendments or consequential amendments required to address the concerns raised in the submission.</p>	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
19.04	PF Olsen	Support in part	Continuous cover forestry	Add a definition for ' Continuous cover forestry '.	Accept
27.19	Hort NZ	New	Crop support structures	Add a new definition for ' Crop protection structures ' as follows: <u>Means an open structure on which plants are grown.</u>	Accept
08.01	MFMNZL	Amend	Cultivation	Amend the definition to exclude plantation forestry.	Reject
FS03.06	Director-General of Conservation	Oppose		Retain the definition as notified	Accept
FS19.109	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Reject
FS23.27	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
19.08	PF Olsen	Support in part	Cultivation	Amend the definition of ' cultivation ' to exclude planation forestry activities.	Reject
27.04	Hort NZ	Support	Cultivation	Retain as notified.	Accept
02.03	NZHA	Oppose	Farm airstrips and farm helipads	Delete the definition farm airstrips and farm helipads.	Accept in part
FS05.01	Federated Farmers	Oppose		Decline the relief sought.	Accept in part
FS13.03	NZAAA	Support		Delete the definition as sought	Accept in part
04.05	NZAAA	Oppose	Farm airstrips and farm helipad	Delete the definition: farm airstrips and farm helipads Include definitions of: helicopter landing area and rural airstrip as sought below.	Accept in part
FS05.19	Federated Farmers	Support		Grant the relief sought	Accept in part
FS07.05	Grant Lennox	Support		Allowed	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
08.02	MFMNZL	Support	Farm airstrips and farm helipads	Retain as notified.	Accept in part
FS04.02	Farmers Air	Oppose		Delete notified definition	Accept in part
FS13.22	NZAAA	Oppose		Delete the definition as notified	Accept in part
FS15.04	New Zealand Helicopter Association	Oppose		Delete the definition as notified	Accept in part
FS19.110	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept in part
12.05	Heli A1 Limited	Oppose	Farm airstrips and farm helipad	Delete the definition: farm airstrips and farm helipads Include definitions of: helicopter landing area and rural airstrip as sought below.	Accept in part
FS13.27	NZAAA	Support		Delete the definition as sought	Accept in part
FS15.09	New Zealand Helicopter Association	Support		Delete the definition as sought	Accept in part
19.10	PF Olsen	Support in part	Farm Airstrips and Farm Helipads	The definition of ' Farm Airstrips and Farm Helipads ' and any associated discussion/policies/rules etc should be amended to define "Farm Airstrips and Farm helipads" as "primary production airstrips and helipads" and that they do not include sporadically used non-dedicated landing and take-off areas (such as forestry skid sites for aerial spraying operations). The remainder of the definition is supported.	Accept in part
FS05.39	Federated Farmers	Support		Grant the relief sought	Accept in part
FS13.57	NZAAA	Oppose		Reject the definition amendment sought, the notified definition sought and accept the definitions sought by NZAAA	Accept in part
FS15.38	New Zealand Helicopter Association	Oppose		Reject the definition amendment sought, the notified definition sought and accept the definitions sought by NZAAA	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
23.04	Balance Agri-Nutrients	Support with amendments	Farm airstrips and helipads	Delete the existing definition for 'Farm airstrips and helipads' ; And Add a new definition for 'rural airstrip' as follows: <u>means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u> And Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.	Accept in part
27.06	Hort NZ	Support with amendment	Farm airstrips and farm helipads	Amend the definition of 'Farm airstrips and farm helipads' to reference 'Agricultural aviation activities' .	Accept
30.08	NZFM	Support with amendment	Farm Airstrips and Farm helipads	Amend the definition and use of the term 'Farm Airstrips and Farm helipads' so that it applies to all 'Primary' production airstrips and helipads' .	Accept in part
FS19.08	PF Olsen	Support		Allow submission point	Accept in part
FS23.102	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Accept in part
46.06	Federated Farmers	Support	Farm airstrips and farm helipads	Retain the definition for 'farm airstrips and farm helipads' as notified. And any consequential amendments required as a result of the relief sought.	Accept in part
FS04.09	Farmers Air	Oppose		Delete definition and add new definitions as sought elsewhere.	Accept in part
FS13.67	NZAAA	Oppose		Delete the definition: FARM AIRSTRIPS AND FARM HELIPADS as sought and add new definitions as sought elsewhere	Accept in part
FS15.49	New Zealand Helicopter Association	Oppose		Delete the definition: FARM AIRSTRIPS AND FARM HELIPADS as sought and add new definitions as sought elsewhere	Accept in part
FS19.157	PF Olsen	Support in part		Allow submission points and provide for plantation forestry	Accept in part
46.07	Federated Farmers	Support	Farm quarrying	Retain the definition for 'farm quarrying' as notified. And any consequential amendments required as a result of the relief sought.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
53.09	DOC	Oppose in part	Farm quarrying	<p>Amend as follows or with wording to like effect:</p> <p>Means an activity where sand or rock is extracted primarily for use on the source land holding and the material extracted must not exceed 1000 m³ per holding per calendar year.</p> <p><u>It does not include earthworks, indigenous vegetation or habitat of indigenous fauna disturbance or the use of land and accessory buildings for offices, workshops and car parking area.</u> See also forestry quarrying, quarrying activities and quarry.</p>	Reject
FS05.134	Federated Farmers	Oppose		Decline the relief sought	Accept
19.02	PF Olsen	Support in part	Forestry	Add a definition for 'Forestry'.	Reject
30.02	NZFM	New	Forestry	Add a new definition for 'Forestry' as per the National Environmental Standards for Plantation Forestry.	Reject
FS19.02	PF Olsen	Support		Allow submission point	Reject
FS23.96	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Accept
08.03	MFMNZL	Support	Forestry quarrying	Retain as notified.	Accept
FS19.111	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
53.10	DOC	Oppose in part	Forestry quarrying	<p>Amend as follows or with wording to like effect:</p> <p>Has the same meaning as Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out below):</p> <p>(a) means the extraction of rock, sand, or gravel for the formation of forestry roads and construction of other plantation forestry infrastructure, including landings, river crossing approaches, abutments, and forestry tracks,—</p> <p>(i) within a plantation forest; or</p> <p>(ii) required for the operation of a plantation forest on adjacent</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				land owned or managed by the owner of the plantation forest; and (b) includes the extraction of alluvial gravels outside the bed of a river, extraction of minerals from borrow pits, and the processing and stockpiling of material at the forest quarry site; but does not include <u>indigenous vegetation or habitat of indigenous fauna disturbance</u> earthworks, mechanical land preparation, or gravel extraction from the bed of a river, lake, or other water body	
FS12.19	MFMNZL	Oppose		Reject submission to change the definition.	Accept
FS19.30	PF Olsen	Oppose		Disallow submission point	Accept
27.22	Hort NZ	New	Greenhouse	Add a new definition for 'Greenhouse' as follows: <u>means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.</u>	Accept in part
19.07	PF Olsen	Support in part	Harvesting	Add a definition of 'Harvesting' consistent with the definition in the National Environmental Standards for Plantation Forestry.	Accept
30.03	NZFM	New	Harvesting	Add a new definition for 'Harvesting' as per the National Environmental Standards for Plantation Forestry.	Accept
FS19.03	PF Olsen	Support		Allow submission point	Accept
FS23.97	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Reject
02.06	NZHA	N/A	Helicopter	Add a definition of <u>Helicopter</u> : <u>means a rotorcraft incorporating one or more power driven rotors.</u> <u>Rotorcraft means any heavier-than-air aircraft which derives its lift in flight from the reaction of the air on one or more rotors on substantially vertical axis.</u>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS13.06	NZAAA	Support		Add the definition as sought	Reject
12.06	Heli A1 Limited	N/A	Helicopter landing area	Add a new definition: <u>Helicopter landing area:</u> <u>means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>	Reject
FS13.28	NZAAA	Support		Add the definition as sought	Reject
FS15.10	New Zealand Helicopter Association	Support		Add the definition as sought	Reject
04.06	NZAAA	N/A	Helicopter landing area	Add a new definition: <u>Helicopter landing area:</u> <u>means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>	Reject
FS03.05	Director-General of Conservation	Support		Supports the proposed definition	Reject
FS07.06	Grant Lennox	Support		Allowed	Reject
02.04	NZHA	N/A	Helicopter landing area	Add a new definition for <u>helicopter landing area</u> : <u>Helicopter landing area:</u> <u>means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>	Reject
FS05.02	Federated Farmers	Oppose		Decline the relief sought	Accept
FS13.04	NZAAA	Support		Add the definition as sought	Reject
FS14.01	NZ Defence Force	Oppose		The definition is overly broad, encompassing every possible location where helicopters might land including on limited or one-off occasions. This is not in line with the established approach set	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				out in NZS6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas	
02.05	NZHA	Support in part	Helipad	Amend the proposed definition by deleting; See also farm helipads and replace with: Helicopter landing areas: Means a facility for helicopter movements that may include passenger facilities, but does not include refuelling, servicing, storing of helicopters or freight handling facilities. See also farm helipads. See also helicopter landing area.	Reject
FS13.05	NZAAA	Support		Add the definition as sought	Reject
04.07	NZAAA	Support in part	Helipad	Amend the proposed definition <u>by deleting:</u> <u>See also farm helipads and replace with: See helicopter landing areas</u> means a facility for helicopter movements that may include passenger facilities, but does not include refuelling, servicing, storing of helicopters or freight handling facilities. See also farm helipads. See also helicopter landing area	Reject
FS07.07	Grant Lennox	Support		Allowed	Reject
12.07	Heli A1 Limited	Support in part	Helipad	Amend the proposed definition by deleting: See also farm helipads and replace with: See helicopter landing areas means a facility for helicopter movements that may include passenger facilities, but does not include refuelling, servicing, storing of helicopters or freight handling facilities. See also farm helipads. See also helicopter landing area.	Reject
FS13.29	NZAAA	Support		Amend the definition as sought	Reject
FS15.11	New Zealand Helicopter Association	Support		Amend the definition as sought	Reject
27.23	Hort NZ	New	Highly productive land	Add a new definition for 'Highly productive land' as follows: <u>Until the regional policy statement contains maps identifying highly productive land in the Waitomo District highly productive land is:</u>	Accept in Part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<u>LUC 1, 2, or 3 land which is zoned general rural or rural production and is not identified for future urban development.</u>	
FS05.46	Federated Farmers	Support		Grant the relief sought	Reject
14.03	NZPIB	Support in part	Intensive Indoor Primary Production	<p>Include additional definitions to cover the typical range of primary production activities that can be deemed intensive:</p> <p><u>Intensive Primary Production means any activity defined as intensive indoor primary production or intensive outdoor primary production.</u></p> <p><u>Intensive Indoor Primary Production (as per National Planning Standards definition) means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.</u></p> <p><u>Intensive Outdoor Primary Production means any primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period) that principally occurs outdoors which, by the nature of the activity, precludes the maintenance of pasture or ground cover. Excludes Extensive Pig Farming.</u></p>	Accept in part
27.07	Hort NZ	Support	Intensive indoor primary production	Retain as notified.	Accept
27.24	Hort NZ	New	Land based primary production	<p>Add a new definition for 'Land based primary production' as follows:</p> <p><u>Production from agricultural, pastoral, horticultural, or forestry</u></p>	Reject
FS23.83	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
43.02	Graymont (NZ) Limited	Support	Mineral	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
43.03	Graymont (NZ) Limited	Support	Mineral prospecting and exploration	Retain as notified.	Accept
14.05	NZPIB	Support in part	Outdoor (extensive) pig farming	Amend definition as follows: means an area of a site or holding where all pigs and piglets are contained within a paddock(s) with groundcover maintained <u>in accordance with the relevant industry agreed good management practice guidelines.</u>	Accept
08.07	MFMNZL	Amend	Plantation forestry	Add a definition of plantation forestry.	Accept
FS19.115	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
FS23.28	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Reject
19.03	PF Olsen	Support in part	Plantation forestry	Add a definition for ' Plantation Forestry ' consistent with the definition in the National Environmental Standards for Plantation Forestry.	Accept
30.04	NZFM	New	Plantation forestry	Add a new definition for ' Plantation Forestry ' as per the National Environmental Standards for Plantation Forestry.	Accept
FS19.04	PF Olsen	Support		Allow submission point	Accept
FS23.98	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Reject
04.08	NZAAA	Support	Primary production	Retain as notified.	Accept
FS07.08	Grant Lennox	Support		Allowed	Accept
08.06	MFMNZL	Support	Primary production	Retain as notified.	Accept
FS19.114	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
12.08	Heli A1 Limited	Support	Primary production	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS13.30	NZAAA	Support		Retain the definition as sought	Accept
FS15.12	New Zealand Helicopter Association	Support		Retain the definition as sought	Accept
14.06	NZPIB	Support in full	Primary production	Retain as notified.	Accept
27.11	Hort NZ	Support	Primary production	Retain as notified.	Accept
43.04	Graymont (NZ) Limited	Support	Primary production	Retain as notified.	Accept
53.12	DOC	Oppose in part	Quarry	Amend as follows or with wording to like effect: means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities. <u>It does not include earthworks, indigenous vegetation or habitat of indigenous fauna disturbance or the use of land and accessory buildings for offices, workshops and car parking area.</u>	Reject
FS08.16	Graymont Ltd	Oppose		Disallow	Accept
FS18.13	Omya	Oppose		Do not adopt this change	Accept
43.05	Graymont (NZ) Limited	Support	Quarry	Retain as notified.	Accept
FS03.80	Director-General of Conservation	Oppose		Allow ** suspect this is incorrect given the further submission opposes the definition**	Reject
08.04	MFMNZL	Support	Quarry	Retain as notified.	Accept
FS19.112	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
08.05	MFMNZL	Support	Quarrying activities	Retain as notified.	Accept
FS19.113	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept
43.06	Graymont (NZ) Limited	Support	Quarrying activities	Retain as notified.	Accept
18.03	AWFG	Support	Recreational hunting	Retain as notified.	Accept
04.10	NZAAA	N/A	Rural airstrip	Add a new definition: <u>Rural airstrip:</u> <u>means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>	Accept in part
FS05.21	Federated Farmers	Oppose		Decline the relief sought	Reject
FS07.10	Grant Lennox	Support		Allowed	Accept in part
12.10	Heli A1 Limited	N/A	Rural airstrip	Add a new definition: <u>Rural airstrip:</u> <u>means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>	Accept in part
FS04.06	Farmers Air	Support		Allow	Accept in part
FS13.32	NZAAA	Support		Add the definition as sought	Accept in part
FS15.14	New Zealand Helicopter Association	Support		Add the definition as sought	Accept in part
27.12	Hort NZ	Support	Rural industry	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
46.09	Federated Farmers	Support	Rural industry	Retain the definition for 'rural industry' as notified. And any consequential amendments required as a result of the relief sought.	Accept
27.26	Hort NZ	New	Seasonal worker accommodation	Add a new definition for 'Seasonal worker accommodation' as follows: <u>Seasonal worker accommodation means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u>	Accept in part
27.14	Hort NZ	Support with amendment	Shelterbelt	Amend the definition of Shelterbelt as follows: has the same meaning as Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out below): means a row or rows of trees or hedges planted to partially block wind flow <u>means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s) or to mitigate potential spray drift from agrichemical applications</u>	Reject
FS23.81	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, theresfore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
30.05	NZFM	New	Sustainable forest management	Add a new definition for 'sustainable forest management' .	Accept
19.05	PF Olsen	Support in part	Sustainable forest management	Add a definition of 'Sustainable forest management' .	Accept
19.06	PF Olsen	Support in part	Sustainable harvesting	Add a definition of 'Sustainable harvesting' .	Reject

7. Appendix 2 – Decisions Version of the Chapter

General Rural Zone | He Rohe Tuawhenua

Overview

The General Rural Zone is primarily a pastoral working environment, used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location, including tourism and recreation.

The General Rural Zone is recognised for its food production values and the contribution of activities within the zone to domestic and international food security.

The zone is also reliant on people and communities to function effectively. Approximately 53% of the general rural zone is farmed as high producing, exotic grasslands. Physical rural resources include geology, soils, topography, drainage, climate and vegetation which share complex interrelationships and provide the basis for rural productivity. Highly productive land (Land Use Capability Classes 1-3) comprises around 10% of the general rural zone and is valued for the diverse range of farming activities it supports. Land Use Capability classes 4-7 make up 85% of the general rural zone and these areas are generally suitable for commercial forestry and pastoral grazing.

There are around 420 properties farming sheep and/or beef cattle and 100 dairy farms which support some 90,000 dairy cattle, 115,000 beef cattle and 690,000 sheep. There are a smaller number of farming operations involved in cropping, deer, goat and pig farming and horticultural activities. Farm sizes vary, but a significant proportion of farm operations (47%), are 200 hectares or larger.

Approximately 7% of land area in the general rural zone is used for commercial forestry. If managed appropriately, large scale forestry can be a sustainable land use and can mitigate the effects of erosion in areas of steep terrain. Steeper areas generally have poor soils and require careful stewardship to avoid exacerbating the erosion risk, which in turn contributes to the degradation of water quality.

Development within the general rural zone also has the potential to adversely affect the health and well-being **of the district's river catchments. While recognising the importance** of primary production activities, this plan affords careful consideration to the potential impacts of vegetation clearance, earthworks, effluent and stormwater runoff associated with rural development and activities. To give effect to the outcomes in the Waikato River Vision and Strategy, there are provisions in this chapter designed to protect against the adverse effects of activities on the Upper Waipa catchment.

Rural character is defined by the elements that comprise the wider rural environment including:

- Large tracts of indigenous vegetation.
- Extensive pastoral grasslands of moderate to steep terrain used for grazing stock and crops.

- Substantial areas of commercial forestry and areas of scrub.
- River valleys, waterfalls and gorges, streams, lakes and wetlands that are generally free from development.
- Open coastal landscapes, estuaries, coastal wetlands, dune lakes and inland harbour areas containing natural features and scenic vistas.
- Karst landscapes and cave systems of national and international significance.
- A low density widely spaced built form, with buildings highly dispersed in the wider landscape.
- A predominantly working landscape with farming activities and buildings, woolsheds and stock yards.
- The characteristic rural noises and odours of farming, including the widespread use of machinery supporting the principal productive land uses.
- Occasional papakāinga and marae with associated activities and events.
- Infrequent rural industry, mineral and aggregate extraction sites, intensive indoor primary production operations and rural service providers.
- Pockets of tourism facilities and traveller accommodation.
- Generally un-serviced land with a lack of urban infrastructure.
- State Highways which accommodate high vehicle numbers and an extensive network of sealed and unsealed district roads with low traffic levels.
- Occasional local rural events and activities such as equestrian hunts, farm open days, local fundraising events, pony club, events in rural community halls and recreational hunting.

Part of the general rural zone is also in the amenity precinct (PREC6) which is located along the State Highway 37 corridor between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district. This area was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement. As a multi-zoned precinct, the provisions are located separately in the amenity precinct (PREC6) chapter.

Located within the general rural zone are also indicative areas for rural production. These areas are zoned rural and are located close to areas zoned rural production. The notation indicates they might be used in the future for rural production activities. In order for the zone to change a plan change is required. The general rural zone rules apply, and the only place in the plan where there are rules that apply to the indicative areas is in the subdivision chapter.

The Aerodrome Precinct

The Te Kūiti Aerodrome is situated 5 km north of Te Kūiti township, adjacent to State Highway 3. It is a highly visible site, approximately 35 ha in area, containing a 500 m asphalt runway which averages 347 movements per month. The precinct consists of four parcels of land which were vested in Waitomo District Council in 1961 for aerodrome purposes.

The aerodrome precinct (PREC3) has been established to facilitate the use of the site for commercial and recreational aviation activities without applying some of the more limiting provisions of the underlying general rural zone. The rule provisions sit in separate tables and apply only to the precinct area identified on the planning maps.

In addition to commercial aviation activities, the site provides refuelling facilities, aircraft storage, clubrooms and flight training. A number of agricultural and recreational activities also occur on the site. Its proximity to the State Highway means that there is future potential for the site to act as a small strategic hub. Accordingly, **the precinct's provisions** seek to provide for the integrated future development and expansion of the area as a transport and industrial hub while ensuring the aerodrome operations remain the primary purpose of the site.

Objectives

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

- GRUZ-O1. Ensure the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources is maintained and where possible enhanced.
- GRUZ-O2. Promote the repopulation of rural areas and encourage activities that provide for rural employment where these are compatible with surrounding rural activities.
- GRUZ-O3. Encourage innovation in the general rural zone that is adaptive to change and promotes rural viability while protecting the ongoing productivity of rural natural and physical resources and maintaining rural character.
- GRUZ-O4. Protect the primary productive values of highly productive land by ensuring the adverse effects of activities do not compromise the **soil's** physical, chemical, and biological properties.
- GRUZ-O5. Ensure rural character and amenity is maintained and where possible, enhanced.
- GRUZ-O6. Maintain the capacity of rural areas and rural resources to support agricultural, pastoral and horticultural activities, commercial forestry and lawfully established rural-based activities.
- GRUZ-O7. In locations where effects can be appropriately managed, provide for rural industry, intensive indoor primary production and intensive outdoor primary production (pig farming).
- GRUZ-O8. Only non-farming activities that are ancillary to a farming activity or have a functional and operational need to locate in the general rural zone shall be enabled.
- GRUZ-O9. Enable tourism facilities only where the scale and nature of effects can be appropriately managed.
- GRUZ-O10. Protect existing lawfully established activities from reverse sensitivity effects.
- GRUZ-O11. Ensure new development or re-development is appropriately serviced.
- GRUZ-O12. Meet district and regional mineral and aggregate needs from predominantly local sources.

- GRUZ-O13. Enable the integrated future development and expansion of the aerodrome precinct and its associated land as a strategic transport and industrial hub.
- GRUZ-O14. Ensure new development is designed and located to manage significant risks from natural hazards.
- GRUZ-O15. In the general rural zone, unless specifically provided for by zone provisions, avoid subdivision or development that:
1. Provides for dwellings that are at a density greater than that anticipated by the general rural zone; or
 2. Fails to provide for a clear delineation between urban areas and rural areas; or
 3. Allows the establishment of incompatible adjacent land uses that could result in reverse sensitivity effects on primary production activities or existing lawfully established rural industries; or
 4. Adversely affects on-going access to significant mineral resources; or
 5. Impedes the ongoing operation maintenance, upgrading and development of existing and planned nationally/regionally significant infrastructure; or
 6. Results in the uneconomic expansion of existing infrastructure; and
 7. Fails to protect the use of highly productive land for primary production.

Policies

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

- GRUZ-P1. Land use activities and development must be restricted to a density, scale and intensity and be located appropriately, in order to maintain rural character and amenity by:
1. Ensuring agricultural, pastoral and horticultural activities and commercial forestry predominate in the zone; and
 2. Ensuring structures are an appropriate scale and appropriately located; and
 3. Avoiding ribbon development and residential cluster development, along the coastline, unless no other practicable alternative locations exist; and
 4. Preserving the rural character of entrance roads to towns and settlements; and
 5. Maintaining a delineation between urban and rural areas by avoiding aggregations of buildings and non-farming uses on the outskirts of towns and settlements; and
 6. Avoiding the establishment of fortified sites; and
 7. Providing for recreational hunting activities; and
 8. Enabling marae complex and papakāinga development as a recognised part of rural character, subject to provision of adequate servicing and managing potential adverse effects; and
 9. Enabling the use and development of rural halls and educational facilities as a recognised part of rural character where activities provide for the well-being of the community and service or support an identified local need.

GRUZ-P2. Recognise the benefits associated with activities that encourage the repopulation of the rural zone and provide rural based employment opportunities. These benefits include:

1. Economic benefits to local communities; and
2. Health and social wellbeing benefits of an increased population base; and
3. The potential to support the continuation of existing facilities and services.

GRUZ-P3. Ensure that rural character, amenity and safety is maintained and that reverse sensitivity effects are minimised by:

1. Ensuring that activities and structures are set back from road and internal boundaries; and
2. Ensuring that enclosures housing animals are set back from internal and zone boundaries to avoid adverse effects on adjacent sites; and
3. Ensuring that buildings housing residential activities are appropriately setback from the boundary of a rural production zone or an established site of intensive indoor primary production / intensive outdoor primary production (pig farming); and
4. Ensuring utilisation of mineral resources is not constrained by managing the establishment of noise sensitive activities and subdivision in areas close to mineral extraction activities; and
5. Recognising that primary production (including agricultural aviation) is an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and
6. Managing the scale, intensity, timing and duration of activities to ensure compatibility with the amenity and character of the rural environment; and
7. Ensuring noise sensitive activities located adjacent to State Highways and/or railways provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and
8. Ensuring activities do not compromise the safe operation of the land transport network or existing energy infrastructure.

GRUZ-P4. Manage commercial forestry, agricultural, pastoral and horticultural activities so that they do not result in adverse effects on the environment or adjacent sites by ensuring:

1. The activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and
2. Buildings are located appropriately and maximum site coverage is not exceeded without the introduction of mitigation measures; and
3. Adverse effects, are avoided, remedied or mitigated; and
4. Farm quarrying is allowed where small quantities of sand or aggregate are extracted primarily for use on the same holding; and
5. Artificial shelters and shelterbelts do not have an adverse effect on the environment, particularly on the amenity of adjacent properties, or on infrastructure such as roads, railway lines, electricity transmission and distribution lines.

GRUZ-P5. Recognise the economic and employment benefits from rural industry while ensuring rural industry is designed, located and operated to internalise adverse effects on the environment as far as practicable by:

1. Ensuring the scale, location and operation of the rural industry is consistent with the capacity, design and function of the transport network; and
2. Ensuring the operation of the rural industry does not adversely affect rural character or constrain lawfully established primary production activities from operating; and
3. Ensuring that the scale, intensity, duration and nature of the adverse effects can be avoided, remedied or mitigated; and
4. Ensuring the removal of vegetation and soil disturbance is minimised as far as practicable; and
5. Employing all methods both necessary and practicable to protect the values of scheduled sites and features.

GRUZ-P6. Activities that are not primary production activities should:

1. Not locate in rural areas unless there is a functional and operational need to establish in the general rural zone; and
2. Not locate in rural areas unless it is demonstrated as necessary to provide for unforeseen future urban growth adjacent to existing townships; and
3. Not locate in rural areas unless they are ancillary to a primary production activity; and
4. Not result in any further loss of land from primary production purposes, particularly highly productive land; and
5. Maintain and where possible, enhance rural character and amenity; and
6. Ensure the scale, location and operation of the activity is consistent with the capacity, design and function of the transport network; and
7. Internalise adverse effects and not cause adverse effects that would result in lawfully established primary production activities being prevented or constrained from operating; and
8. Employ all methods necessary to protect karst hydrological and geomorphological systems; and
9. Minimise and where possible avoid adverse effects on the coastal environment.

GRUZ-P7. Tourism activities are provided for in the general rural zone where:

1. The operation of lawfully established primary production activities are not compromised by the introduction or intensification of a tourism activity; and
2. The scale, intensity, timing and nature of the adverse effects from the tourism activity can be avoided, remedied or mitigated; and
3. The scale, location and operation of the tourism activity is consistent with the capacity, design and function of the transport network; and
4. The activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and

5. The effects, scale and/or intensity of the tourism activity can be appropriately managed; and
6. The tourism activity protects and enhances the natural environment, including ecological, natural landscape, cultural and heritage features; and

Activities are particularly encouraged where they:

7. Complement the recreational values of the Timber Trail Cycleway or Te Araroa trail; or
8. Support enhanced public access and appreciation of the coastline or lake or river margins.

GRUZ-P8. Ensure intensive indoor primary production and intensive outdoor primary production (pig farming) operates in a way that manages adverse effects including noise, glare, traffic generation, visual amenity, rural character, landscape effects and odour.

GRUZ-P9. Where visitor accommodation is proposed, its scale and design must enhance rural amenity, quality and character, and ensure site specific issues including reverse sensitivity, servicing and transport related effects are appropriately addressed.

GRUZ-P10. Minimise the potential for seasonal worker accommodation and residential based visitor accommodation to generate reverse sensitivity issues, adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.

GRUZ-P11. Ensure the scale and intensity of development can be serviced by on site non-reticulated water, wastewater and stormwater methods.

GRUZ-P12. Quarrying activities are managed so that the adverse effects are internalised as far as practicable in the first instance, then avoided, remedied or mitigated as far as practicable through management methods and rehabilitation plans that address matters including:

1. Demonstrating that the activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and
2. Management of dust, noise, vibration, access and illumination to maintain amenity values, particularly during night time; and
3. Ensuring structures are appropriately located in relation to boundaries, and are of an appropriate scale; and
4. Undertaking remedial measures during extraction operations; and
5. Ensuring the scale and location of mineral extraction is consistent with the capacity, design and function of the transport network; and
6. Minimising any adverse effect on rural character; and
7. Ensuring sites are rehabilitated using appropriate materials, substrates and indigenous vegetation to provide for the recolonisation of indigenous species; and
8. Minimising the removal of indigenous vegetation and soil as far as practicable; and
9. Where removal of high class soils cannot be avoided, as far as practicable enabling the use of the soil to rehabilitate land elsewhere in the region

10. Managing adverse effects on hydrological systems and on the geomorphological or hydrological characteristics of the karst system.

- GRUZ-P13. When assessing resource consents for quarrying activities, take into account that mineral extraction is constrained by the location of the resource and it is important to maintain a supply of extracted minerals.
- GRUZ-P14. Mineral prospecting and exploration is enabled provided that the adverse effects of the activities are not significant and impacts on adjacent water bodies and karst systems are minimised.
- GRUZ-P15. Avoid modification to abiotic and biotic cave features by protecting the immediate radius around cave entries and sinkholes from earthworks and vegetation disturbance.
- GRUZ-P16. Protect the ongoing operation and development of existing sites of intensive indoor primary production / intensive outdoor primary production (pig farming) and sites identified as regionally significant in [RPROZ-SCHED1 – Scheduled rural production sites](#), by managing the location of noise sensitive activities on surrounding sites.
- GRUZ-P17. Enable the development of the aerodrome precinct for a range of activities while:
1. Controlling activities and structures in proximity to the runway to mitigate the risk of accidents; and
 2. Ensuring that activities which require direct access to the runway strip are prioritised on those sites adjacent to it; and
 3. Ensuring structures are appropriately setback from indicative roads and current internal roads; and
 4. Ensuring the development of the aerodrome precinct effectively and efficiently integrates with the land transport network and provides for alternative transport modes including walking and cycling; and
 5. Ensuring that development and expansion within the aerodrome precinct is appropriately serviced in respect of water, wastewater and stormwater; and
 6. Ensuring all activities within the aerodrome precinct are located and developed in a manner that manages adverse effects on the operation of the aerodrome; and
 7. Providing for industrial and strategic transport activities and limited support services including offices and retail ancillary to these uses; and
 8. Avoiding the establishment of activities which might compromise the use and operation of the aerodrome for aviation purposes, industrial and strategic transport activities; and
 9. Ensuring landscaping, building design, layout, reflectivity and colour are managed to maintain the amenity within the aerodrome precinct and when viewing the precinct from other zones and from the State Highway.
- GRUZ-P18. Ensure the flightpath height restrictions shown on the planning maps are complied with to enable the safe operation of **the Te Kūiti Aerodrome**.

- GRUZ-P19. **Ensure future development and expansion of Te Kūiti Aerodrome maintains** a reasonable degree of amenity along road boundaries, particularly where sites are adjacent to State Highway 3.
- GRUZ-P20. Ensure adherence to aviation safety requirements to enable the ongoing operation and development of the aerodrome precinct.
- GRUZ-P21. Ensure new intensive indoor primary production activities and intensive outdoor primary production (pig farming) are separated from existing sensitive activities to prevent adverse noise, glare, traffic generation, visual and odour effects.

Rules

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

- GRUZ – Table 1 – Activities Rules; and
- GRUZ – Table 2 – Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

The rules that apply to the aerodrome precinct (PREC3) are in contained the tables listed below. To undertake any activity the aerodrome precinct (PREC3), it must comply with the rules listed in:

- PREC3 – Table 1 – Activities Rules; and
- PREC3 – Table 2 – Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. [Refer to Part 1 – How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

The rules in this table apply to the general rural zone outside of the aerodrome precinct (PREC3)	
GRUZ-R1.	Agricultural, pastoral and horticultural activities and stock underpasses
GRUZ-R2.	Residential units, minor residential units and farm worker residential units
GRUZ-R3.	Marae complex and papakāinga housing development
GRUZ-R4.	Tanks and silos
GRUZ-R5.	Shelterbelts, artificial shelters and artificial crop protection structures
GRUZ-R6.	Outdoor (extensive) pig farming
GRUZ-R7.	Visitor accommodation and residential based visitor accommodation
GRUZ-R8.	Emergency services facilities
GRUZ-R9.	Mineral prospecting and exploration
GRUZ-R10.	Exotic continuous cover forestry and/or sustainable forest management /sustainable harvesting outside of a Significant Natural Area
GRUZ-R11.	Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.
GRUZ-R12.	Accessory buildings ancillary to any permitted activity
GRUZ-R13.	Construction, addition and alteration of buildings for any permitted activity
GRUZ-R14.	Recreational hunting
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in GRUZ – Table 2 are complied with.</p> <p><i>Note: Where the building is listed in SCHED1 – Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	
<p>Activity status where compliance is not achieved with GRUZ-S1 to GRUZ-S7: RDIS</p> <p>Activity status where compliance is not achieved with GRUZ-S8 to GRUZ-S10: DIS</p> <p>Activity status where compliance is not achieved with GRUZ-S11: NC</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 GRUZ - Table 2.</p>	

GRUZ-R15.	Vegetation clearance outside of an identified significant natural area
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Clearance of non-indigenous vegetation (excluding commercial forestry) for weed control, pasture reinstatement or for a building platform where this is located outside of an identified significant natural area is permitted; and 2. Clearance of indigenous scrub vegetation (manuka, kanuka, tree ferns) outside of an identified significant natural area for weed control, pasture reinstatement or for a building platform must: <ol style="list-style-type: none"> (i) Not occur within 5 m of a water body; and (ii) Not be cleared if the vegetation is greater than 5 m in height. 3. Clearance of non-indigenous vegetation or indigenous scrub vegetation (manuka, kanuka, tree ferns) outside of an identified significant natural area for removal of material infected by unwanted organisms under the Biosecurity Act 1993. <p><i>Note: Where vegetation clearance is proposed in a significant natural area the provisions in the ecosystems and indigenous biodiversity chapter apply.</i></p> <p><i>Note: For the objectives and policies for district-wide biodiversity see the ecosystems and indigenous biodiversity chapter.</i></p> <p><i>Note: GRUZ-R15.2 does not apply to the part of Waitomo district which is within the Manawatū-Whanganui Region. In this part of the district, clearance or removal of indigenous vegetation is controlled by the provisions of the Manawatū-Whanganui Regional Plan.</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Whether the vegetation removal is setback from riparian and coastal margins; and (b) The location, timing of construction, design and density of soil disturbance and vegetation removal activities; and (c) Measures to avoid, remedy or mitigate the adverse effects of the activity on the rural environment. (d) The location, extent and necessity of removing indigenous scrub vegetation (manuka, kanuka, tree ferns); and (e) The extent to which existing vegetation is retained in order to mitigate the effects of erosion, sedimentation, water quality degradation and loss of indigenous species habitat; and (f) Methods and alternatives proposed to avoid or minimise potential adverse effects on indigenous biodiversity and rehabilitation measures.
GRUZ-R16.	Minimum setback from commercial forestry
<ol style="list-style-type: none"> 1. The minimum setback for a new building housing a residential activity must be 40 m from existing commercial forestry on an adjacent site; and 2. Buildings housing a residential activity may be erected up to any common boundary with an adjacent site which is in the same holding. <p><i>Note: The rule does not apply to afforestation</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the activity can be relocated to meet setback requirements; and (b) The layout, design and location of the residential activity, including consideration of

<p><i>setbacks which are managed by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017.</i></p>	<p>shading effects, topographical and geographical features; and</p> <p>(c) Potential reverse sensitivity effects on adjoining commercial forestry.</p>
GRUZ-R17.	Seasonal worker accommodation
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum occupancy must not exceed twelve persons per site at any one time; and 2. The seasonal worker accommodation is associated with a horticultural activity; and 3. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities; and 4. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The effect on surrounding properties, character and amenity; and (b) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (c) Potential reverse sensitivity effects on any adjoining activities; and (d) The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008.
GRUZ-R18.	Artificial crop protection structures
<ol style="list-style-type: none"> 1. Artificial crop protection structures must not exceed 6 m in height as measured from ground level and must not be located closer than any of the distances specified below: <ol style="list-style-type: none"> (i) 5 m from the boundary of an adjacent property that is not owned by the owner of the land it is located on; and (ii) 5 m from any road or railway line. 2. Green or black cloth must be used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained. <p><i>Note: See the transport chapter for additional line of site requirements applying to the land transport network.</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location and extent of the activity and its effects on amenity values of nearby residential properties and public places; and (b) Whether the activity would create new or exacerbate existing hazards to traffic or to the operation of railway lines, overhead power or telephone lines; and (c) The extent to which the activity can be relocated to meet setback requirements; and (d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and (e) Potential reverse sensitivity effects on any adjoining rural activities; and (f) The effects of glare on neighbouring properties or road users.

GRUZ-R19.	Visitor accommodation and residential based visitor accommodation	
<p>Activity status: PER</p> <p>Where:</p> <p>1. The maximum occupancy must not exceed eight guests at any one time.</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The effect on surrounding properties, character and amenity; and</p> <p>(b) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</p> <p>(c) Potential reverse sensitivity effects on any adjoining activities.</p>	
GRUZ-R20.	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; 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 or funeral parlours. In the general rural zone these activities are industrial activities.</p>	<p>Activity status where compliance is not achieved: DIS</p>	
GRUZ-R21.	Tourism facilities and retail activities	
<p>Activity Status: PER</p> <p>Where:</p> <p>1. The activity must not be located in the amenity precinct (PREC6); and</p>	<p>Activity status where compliance is not achieved: DIS</p>	

<p>2. Only one tourism facility OR one retail activity is permitted per holding; and</p> <p>3. The hours of operation are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and</p> <p>4. All of the performance standards in GRUZ – Table 2 are complied with;</p> <p>AND</p> <p>5. For tourism facilities the activity must not generate more than 100 vehicle movements per day and one building per holding not exceeding 150 m² gross floor area is permitted for either:</p> <ul style="list-style-type: none"> (i) The commercial organisation and operation of activities that cater to tourists, including outdoor education activities; or (ii) An information centre or visitor centre; or (iii) Retail activities ancillary to a tourism activity; or (iv) A combination of the above listed activities in (i) to (iii); <p>OR</p> <p>6. Retail activities must:</p> <ul style="list-style-type: none"> (i) not exceed 100 m² of gross floor area per holding; and (ii) not generate more than 100 vehicle movements to the site per 24 hour period; and (iii) predominantly sell goods produced on that holding and be ancillary to the agricultural, pastoral or horticultural activities occurring on the holding. 	
<p>Activity Status: DIS</p> <p>Where:</p> <p>7. The activity is located in the amenity precinct (PREC6).</p> <p><i>Note: For policy guidance see PREC6-P1</i></p>	<p>Activity status where compliance is not achieved: N/A</p>
GRUZ-R22.	Packing sheds and greenhouses
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in GRUZ – Table 2 are complied with; and</p> <p>2. Packing sheds must only be used for the initial processing and packaging of horticultural and agricultural products that are produced on the</p>	<p>Activity status where compliance is not achieved: DIS and the activity becomes a rural industry. See GRUZ-R34</p>

	<p>holding (other than honey and bee products); and</p> <p>3. Greenhouses must have a permeable floor; and</p> <p>4. The packing shed and/or greenhouse buildings must not exceed 500 m² gross floor area per holding.</p>	
GRUZ-R23.	Farm quarrying	
	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in GRUZ -Table 2 are complied with; and 2. The material extracted must not exceed 1000 m³ per holding per calendar year; and 3. No blasting activities occur; and 4. The material extracted is not for pecuniary gain and is primarily for use on the source land holding; and 5. Where the farm quarry is adjacent to a site zoned as residential, rural lifestyle, settlement, commercial, Māori purpose, tourism, future urban or open space, it must be screened by planting and landscaping that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 5 m. 	<p>Activity status where compliance is not achieved: DIS and the activity becomes a quarrying activity. See GRUZ-R35</p>
GRUZ-R24.	Demolition and/or removal of buildings and structures	
	<p>Activity status: PER</p> <p><i>Note: Where the building is listed in SCHED1 – Heritage Buildings and Structures, see the historic heritage chapter.</i></p>	<p>Activity status where compliance is not achieved: N/A</p>
GRUZ-R25.	Wineries, breweries, distilleries and cafes	
GRUZ-R26.	Rural-based education activities	
	<p>Activity status: RDIS</p> <p>Where</p> <ol style="list-style-type: none"> 1. The activity is ancillary to an agricultural, pastoral or horticultural activity; and 2. For wineries, breweries, distilleries and cafes the hours of operation are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays. <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> (a) The effect on surrounding properties, rural character and amenity; and (b) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and (c) The effects associated with layout, design and location of the activity, including operating hours; and 	

- (d) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and
- (e) Provision of on-site infrastructure; and
- (f) Potential reverse sensitivity effects on any adjoining rural activities.

Activity status where compliance is not achieved: DI S

GRUZ-R27.	Intensive indoor primary production and Intensive Outdoor Primary Production (Pig Farming)
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Activity status: RDIS

Where:

1. All of the performance standards in GRUZ – Table 2 are complied with; and
2. As measured from the perimeter of any treatment systems, structures or paddocks housing animals (and hardstand areas associated with those), intensive indoor primary production must be located at least:
 - (i) 500 m from any existing building housing a residential activity or a sensitive activity on a separate holding; and
 - (ii) 1 km from any boundary of the rural lifestyle, settlement, residential, open space, future urban, tourism or Māori purpose zones or the amenity precinct.

Where the activity is RDIS, the matters over which discretion is restricted are:

- (a) The extent to which the site will operate in accordance with an approved Farm Environment Plan or relevant industry codes of practice; and
- (b) Visual effects including bulk, scale and location of the structures and landscape planting; and
- (c) Potential reverse sensitivity effects on any adjoining rural activities; and
- (d) The effect on surrounding properties, rural character and amenity; and
- (e) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and
- (f) The layout, design and location of the activity, including consideration of wind and climate patterns and the topographical and geographical features affecting odour, dust, visual impact and noise; and
- (g) The effects of increased traffic and the timing of traffic generation; and
- (h) The likely effects on persons living and working in the locality from noise, odour, traffic, and nuisances such as vermin and flies; and
- (i) Any means proposed to avoid or mitigate the likely nuisance; and
- (j) Whether the site is suitable for and can physically accommodate proposed waste treatment and disposal methods given the number of animals accommodated and the volume of wastes generated.

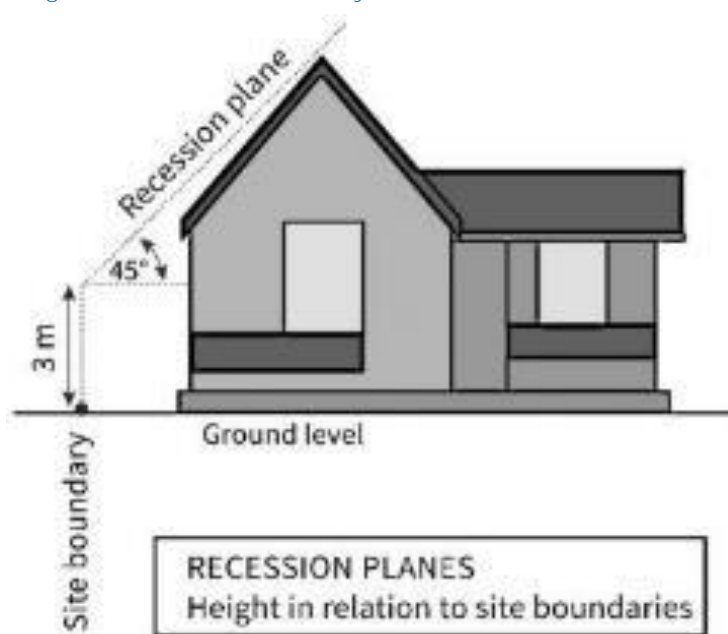
Activity status where compliance is not achieved: DI S

GRUZ-R28.	Educational facilities and community facilities	
GRUZ-R29.	Creation of new entrances into caves, structures within caves or other modifications to cave features	
GRUZ-R30.	Any earthworks or clearance of vegetation (other than plant pest species, wilding pines, or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole	
GRUZ-R31.	Any fill or rubbish placement into any cave or sinkhole OR within a 20 m radius of an entry or opening into any cave or sinkhole	
GRUZ-R32.	Boarding or breeding kennels or catteries	
GRUZ-R33.	Camping grounds	
GRUZ-R34.	Rural industry and wool stores	
GRUZ-R35.	Quarrying activities and industrial activities	
GRUZ-R36.	Stock saleyards	
GRUZ-R37.	Activities not otherwise listed in Table 1	
Activity status: DIS		Activity status where compliance is not achieved: N/A
GRUZ-R38.	Fortified sites	
Activity status: NC		Activity status where compliance is not achieved: N/A
GRUZ-R39.	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

GRUZ-S1.	Minimum setback from road boundaries
<p>1. The minimum setback from road boundaries for any building adjacent to any district road must be at least 10 m; and</p> <p>2. The minimum setback from road boundaries for any building adjacent to any designated State Highway must be 30 m.</p> <p>Provided emergency service facilities are exempt from this rule.</p> <p><i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, rural character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining rural activities; and</p> <p>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation.</p>
GRUZ-S2.	Minimum setback from internal boundaries
<p>1. The minimum setback for buildings housing a residential activity from internal boundaries must be:</p> <p>(i) 5 m on sites 2,500 m² or less; or</p> <p>(ii) 10 m on sites 2,501 m² or greater;</p> <p>OR</p> <p>2. The minimum setback for all other buildings from internal site boundaries must be:</p> <p>(iii) 10 m for buildings less than or equal to 150 m²; or</p> <p>(iv) 25 m for buildings greater than 150 m²;</p> <p>AND</p> <p>3. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding; and</p> <p>4. Kennels housing more than 10 dogs must be setback 10 m from internal site boundaries.</p> <p><i>Note: See GRUZ-S5 for setbacks for specified farm structures</i></p> <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, privacy, character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby 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>

GRUZ-S3.	Height and height in relation to boundary
<ol style="list-style-type: none"> Structures must not exceed 10 m in height as measured from ground level; and Frost fans must not exceed 15 m in height as measured from ground level, inclusive of blades; and 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 - GRUZ 1. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Visual effects including bulk, scale and location of the structure or materials; and The provision of daylight and sunlight into neighbouring buildings; and Effects on surrounding properties, privacy, rural character and amenity; and Ability to soften the visual impact of the structure or materials from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and Potential reverse sensitivity effects on any adjoining rural activities.

Figure – GRUZ 1 – Height in relation to boundary



GRUZ-S4.	Minimum setback for new shelterbelts and artificial shelters
<ol style="list-style-type: none"> New artificial shelters 6 m or higher and new shelterbelts which are proposed to grow to more than 6 m high must not be planted closer than any of the distances specified below: <ol style="list-style-type: none"> 5 m from the boundary of an adjacent property that is not owned by the owner of the land it is located on; and 5 m from any road or railway line. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location and extent of the activity and its effects on amenity values of nearby residential properties and public places; and Whether the activity would create new or exacerbate existing hazards to traffic or to the operation of railway lines, overhead power or telephone lines; and

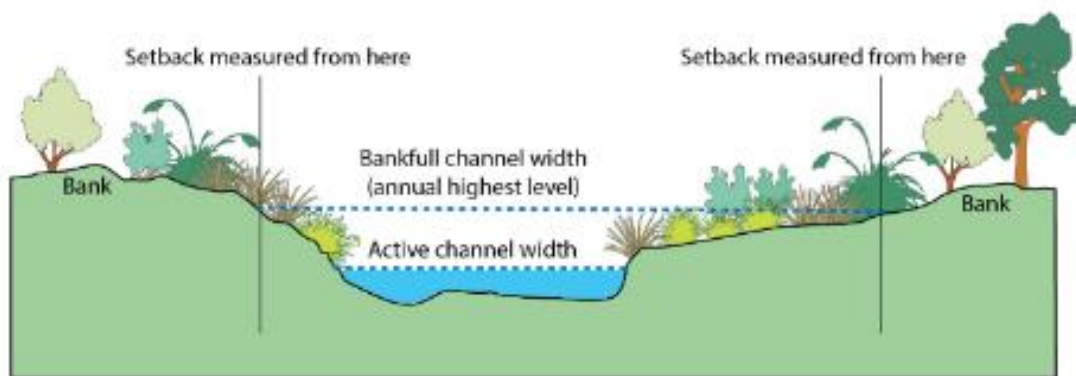
<p>Note: See the transport chapter for additional line of site requirements applying to the land transport network.</p>		<p>(c) The extent to which the activity can be relocated to meet setback requirements; and</p> <p>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining rural activities.</p>
GRUZ-S5.	<p>Setbacks - specified farm buildings and new buildings housing a residential activity</p>	
<p>3. For any wool (shearing) shed or milking shed and ancillary yards, feed lot or feed pad, or similar structure or enclosure (excluding paddocks) which is 100 m² in size or larger and used for the confinement or housing of any animal (except domestic pets):</p> <p>(i) The minimum setback for the structure or enclosure from any internal boundary must be 30 m, or 50 m from a building housing a residential activity on an adjacent site – whichever is the greater; and</p> <p>(ii) The minimum setback for the structure or enclosure from any boundary with another zone must be 100 m.</p> <p>AND</p> <p>4. The minimum setback for a new building housing a residential activity must be 50 m from any existing specified farm structure listed in GRUZ-S5.1 on an adjacent site; and</p> <p>5. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding.</p>		<p>Matters over which discretion is restricted:</p> <p>(a) The location and extent of the activity and its effects on the amenity values of neighbouring properties; and</p> <p>(b) The extent to which the activity can be relocated to meet setback requirements; and</p> <p>(c) The layout, design and location of the activity, including consideration of wind and climate patterns and the ability to maintain the amenity of neighbouring properties; and</p> <p>(d) The extent of the visual impact of structures and landscape planting; and</p> <p>(e) Topographical and geographical features affecting odour, dust, visual impact and noise; and</p> <p>(f) The effects of increased traffic and the timing of traffic generation; and</p> <p>(g) Potential reverse sensitivity effects on any adjoining rural activities.</p>
GRUZ-S6.	<p>Minimum setback from the boundary of a rural production zone or the boundary of an established site of intensive indoor primary production or intensive outdoor primary production (pig farming).</p>	
<p>1. The minimum setback for a building housing a residential activity from the boundary of a rural production zone must be 250 m; and</p> <p>2. As measured from the perimeter of treatment systems, structures housing animals (and hardstand areas associated with those) on an established site of intensive indoor primary production, the minimum setback for a building housing a residential activity must be 500 m.</p>		<p>Matters over which discretion is restricted:</p> <p>(a) Potential reverse sensitivity effects on any rural production zone or intensive indoor primary production activities / intensive outdoor primary production (pig farming); and</p> <p>(b) Site topography and orientation and whether the structure can be more appropriately</p>

<p>3. As measured from the boundary of an established site of intensive outdoor primary production (pig farming), the minimum setback for a building housing a residential activity must be 500 m.</p> <p>4. The provisions of this rule do not apply to any building housing a residential activity within the intensive indoor primary production / intensive outdoor primary production (pig farming) holding or in a rural production zone.</p>	<p>located or designed to minimise potential reverse sensitivity effects; and</p> <p>(c) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site; and</p> <p>(d) The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.</p>
GRUZ-S7.	Storage and spreading of non-hazardous solid or liquid waste
<p>1. Any tank, pond or similar containment of any non-hazardous solid or liquid waste and/or by-product used as a fertiliser or soil conditioner must be located at least:</p> <p>(i) 200 m from any existing building housing a residential activity on a separate holding; and</p> <p>(ii) 30 m from the boundary of any adjacent holding.</p> <p>2. The spreading of any non-hazardous solid or liquid waste and/or by-product as a fertiliser or soil conditioner must not occur within:</p> <p>(i) 100 m from any existing building housing a residential activity on a separate holding; and</p> <p>(ii) 15 m from the boundary of any adjacent holding.</p> <p><i>Note: GRUZ-S7 does not apply to the part of Waitomo district which is within the Manawatū-Whanganui Region. In this part of the district, this matter is controlled by the provisions of the Manawatū-Whanganui Regional Plan</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) The type of by-product or waste proposed to be stored or spread and its potential effects; and</p> <p>(b) The location and scale of the storage facility; and</p> <p>(c) The effect on surrounding properties, rural character and amenity; and</p> <p>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining rural activities.</p>
GRUZ-S8.	Maximum number of residential units
<p>1. One residential unit per record of title; and</p> <p>2. Either one minor residential unit with a maximum gross floor area of 70 m² excluding garaging, per holding; and</p> <p>3. One residential unit for a farm worker per holding; OR</p> <p>4. A papakāinga housing development of no more than 6 residential units must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</p>	<p>Activity status where compliance is not achieved: DIS</p>

GRUZ-S9.	Maximum building coverage	
<ol style="list-style-type: none"> 1. For sites equal to or less than one hectare the maximum amount of a site which can be covered by buildings is 15%; and 2. For sites greater than one hectare the maximum amount of a site which can be covered by buildings is 3%. 3. Provided emergency service facilities and artificial crop protection structures are exempt from this rule. 		Activity status where compliance is not achieved: DIS
GRUZ-S10.	Servicing	
<ol style="list-style-type: none"> 1. Where a connection to the Council's reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and 2. Where a connection to the Council's reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and 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. 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. <p><i>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).</i></p> <p><i>Note: Stormwater and wastewater disposal, and ground and surface water takes may require a resource consent from the Waikato Regional Council or the Manawātū Whanganui Regional Council.</i></p>		Activity status where compliance is not achieved: DIS

GRUZ-S11.	Minimum setback from water bodies – quarrying activities, farm quarrying, mineral prospecting and exploration
<p>1. Quarrying activities, farm quarrying, mineral prospecting and exploration must be setback at least 30 m from the edge of any water body as measured from the bankfull channel width (see Figure – GRUZ 2); and</p> <p>2. The deposition of overburden material or the extraction or deposition of aggregates must be setback at least 30 m from the edge of any water body as measured from the bankfull channel width (see Figure – GRUZ 2); and</p> <p>3. For the purposes of this rule a water body is:</p> <ul style="list-style-type: none"> (i) A perennial watercourse with a bankfull channel width of 3 m or more; or (ii) In the Upper Waipa River sub-catchments, as identified on the Planning Maps, a perennial watercourse with a bankfull channel width of 2 m or more; or (iii) A lake equal to or larger than 0.25 ha. <p><i>Note: For land disturbance within 10 m of a natural wetland see the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p>	<p>Activity status where compliance is not achieved: NC</p>

Figure – GRUZ 2




AREA SPECIFIC MATTERS

General Rural Zone

Aerodrome Precinct (PREC3)



 Aerodrome Precinct

GENERAL RURAL

PREC3 - Table 1 – Activities Rules

The rules in this table only apply within PREC3 aerodrome precinct	
PREC3-R1.	General and commercial aviation activities and hangars
PREC3-R2.	Industrial activities
PREC3-R3.	Vehicle parking and vehicle storage
PREC3-R4.	Emergency service facilities
PREC3-R5.	Warehouses, lock-up storage units and storage yards
PREC3-R6.	Helipads and facilities for their servicing and management
PREC3-R7.	Navigational aids and control towers
PREC3-R8.	Storage and sale of aircraft fuel and lubricants

PREC3-R9.	Aviation education training and aviation clubrooms
PREC3-R10.	Agricultural, pastoral and horticultural activities and stock underpasses
PREC3-R11.	Tanks and silos
PREC3-R12.	Offices, canteens, ablution facilities, medical rooms, recreational facilities, vehicle servicing depots and workshops ancillary to any permitted activity
PREC3-R13.	Accessory buildings ancillary to any permitted activity
PREC3-R14.	Construction, additions and alteration of buildings for any permitted activity
Activity status: PER Where: 1. All of the performance standards in PREC3 - Table 2 are complied with. <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i>	Activity status where compliance is not achieved with PREC3-S1 to PREC3-S4: RDIS Activity status where compliance is not achieved with PREC3-S5 to PREC3-S6: DIS Activity status where compliance is not achieved with PREC3-S7: NC Where the activity is RDIS, the matters over which discretion is restricted are: (a) The matters of discretion associated with any performance standard which cannot be complied with in PREC3 -Table 2.
PREC3-R15.	Cafes and takeaway food outlets
Activity status: PER Where: 1. The café or takeaway food outlet does not have a drive through facility; and 2. All of the performance standards in PREC3 - Table 2 are complied with.	Activity status where compliance is not achieved: DIS
PREC3-R16.	Retail activities ancillary to any permitted activity
Activity status: PER Where: 1. The retail activity is ancillary to a permitted activity; and 2. The retail activity occupies no more than 60 m ² of the activity's gross floor area; and 3. All of the performance standards in PREC3 - Table 2 are complied with.	Activity status where compliance is not achieved: NC
PREC3-R17.	Demolition and / or removal of buildings and structures
Activity status: PER	Activity status where compliance is not achieved: N/A

<p>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</p>	
PREC3-R18.	Service stations
PREC3-R19.	Residential units for caretakers or staff
<p>Activity status: DIS</p> <p>Activity status where compliance is not achieved: N/A</p>	
PREC3-R20.	Activities not otherwise listed in PREC3 - Table 1
<p>Activity status: NC</p> <p>Activity status where compliance is not achieved: N/A</p>	
PREC3-R21.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps
<p>Activity status: PR</p> <p>Activity status where compliance is not achieved: N/A</p>	

PREC3 - Table 2 - Performance Standards

PREC3-S1.	Minimum setback from road boundaries
<ol style="list-style-type: none"> The minimum setback from internal and indicative road boundaries for any building must be at least 5 m; and The minimum setback from road boundaries for any building adjacent to any district road must be at least 10 m; and The minimum setback from road boundaries for any building adjacent to State Highway 3 must be 15 m; and Provided emergency service facilities are exempt from this rule. <p>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Visual effects including bulk, scale and location of the building; and The provision of daylight and sunlight into neighbouring buildings; and Effects on the safe and efficient operation of the aerodrome; and Ability to soften the visual impact of the building from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and Potential reverse sensitivity effects on any adjoining rural activities; and Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation.

PREC3-S2.	Minimum setback from internal boundaries	
<ol style="list-style-type: none"> 1. The minimum setback for buildings from internal boundaries where the internal boundary is adjacent to State Highway 3 or the general rural zone must be 15 m; and 2. Otherwise, there are no internal site boundary setback requirements except that All buildings must be setback from another building by at least 6 m. <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"> (a) Visual effects including bulk, scale and location of the building; and (b) Effects on the safe and efficient operation of the aerodrome; and (c) Ability to soften the visual impact of the building from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (d) Potential reverse sensitivity effects on any adjoining activities.
PREC3-S3.	Height and height in relation to boundary	
<ol style="list-style-type: none"> 1. Structures must not exceed 8 m in height as measured from ground level; and 2. Where a structure is adjacent to the general rural zone, a district road or State Highway 3, 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 boundary which abuts the general rural zone, a district road or State Highway 3. See Figure - GRUZ 1. 		<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure or materials; and (b) Effects on surrounding properties, privacy, rural character and amenity; and (c) Ability to soften the visual impact of the structure or materials from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (d) Potential reverse sensitivity effects on any adjoining activities.
PREC3-S4.	Screening of site boundaries	
<ol style="list-style-type: none"> 1. Site boundaries adjacent to either the general rural zone, a district road or State Highway 3 must be landscaped to minimum depths of 2 m, except for any required vehicle access points; and 2. Security fences over 2 m high must be set back a minimum of 2 m from all road boundaries, including internal road boundaries. 		<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity or building; and (b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment; and (c) The overall landscaping provided on-site; and (d) The extent to which the siting and external appearance of buildings or activities sit within the receiving environment; and (e) The effect on the character and amenity values of the road or any adjacent zone; and (f) Effects on the safety and efficiency of traffic flow; and

		(g) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.
PREC3-S5.	Building design standards	
<div>1. Construction, alteration or extension of buildings - the maximum gross floor area of a building must not exceed 1000 m²; and</div> <div>2. All buildings, including building roofs, must be painted or coloured in British Standard 5252 neutral colour palette groups A and B and must also have low reflectivity, with maximum reflectance levels of 70%; and</div> <div>3. No sign may be located, anchored, erected, attached to or painted on or above a rooftop or roofline.</div>		Activity status when compliance is not achieved: DIS
PREC3-S6.	Servicing	
<div>1. Where a connection to the Council's reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and</div> <div>2. Where a connection to the Council's reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</div> <div>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</div> <div>4. 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.</div> <div><i>Note: See SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice for further information about managing fire risk and storage of water for firefighting purposes.</i></div>		Activity status when compliance is not achieved: DIS

<p><i>Note: Stormwater and wastewater disposal, and ground and surface water takes may require a resource consent from the Waikato Regional Council.</i></p>	
PREC3-S7.	Minimum setback from water bodies
<p>1. The storage of aircraft fuel and lubricants must be setback at least 30 m from the edge of any water body as measured from the bankfull channel width (see Figure – GRUZ 2); and</p> <p>2. For the purposes of this rule, a water body is a perennial watercourse with a bankfull channel width of 2 m or more.</p> <p><i>Note: For setbacks from natural wetlands see the Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i></p>	Activity status when compliance is not achieved: NC

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 earthworks may also be required from the Waikato Regional Council or Manawatū-Whanganui Regional Council.

Works in close proximity to any electricity line

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

Landscaping

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

8. Appendix 3 – Section 32AA Evaluation

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

Amendment of the application of wider plan provisions

2. This chapter does not require all the rules to be considered when assessing the activity as many will be irrelevant to an application. The word “all” was erroneously included. RMA schedule 1, clause 16 enables a local authority to make an amendment to its proposed plan, without using the process in schedule 1, to alter any information, where such an alteration is of minor effect, *or to correct any minor errors*. Using RMA schedule 1, clause 16 the Panel has directed that the following word is removed from the chapter:

Rules

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

- GRUZ – Table 1 – Activities Rules; and
- GRUZ – Table 2 – Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

The rules that apply to the aerodrome precinct (PREC3) are in contained the tables listed below. To undertake any activity the aerodrome precinct (PREC3), it must comply with ~~all~~ the rules listed in:

- PREC3 – Table 1 – Activities Rules; and
- PREC3 – Table 2 – Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

3. There is also scope to make this amendment under BP Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) submission to make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.

Provisions not requiring an evaluation

4. **Please note that references to ‘plantation forestry’ in this plan have been updated to refer to ‘commercial forestry’ to respond to the** Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017.

GRUZ-O4. Protect the primary productive values of highly productive ~~soils~~ land ~~and by ensuring~~ the adverse effects of activities do not compromise the ~~soil's~~ physical, chemical, and biological properties.

5. A minor amendment is proposed to GRUZ-O4 **to refer to the term ‘highly productive land’ rather than ‘highly productive soils’**. This amendment aligns with the National Policy Statement for Highly Productive Land and is required to correct the terminology. It requires a consequential amendment to change the tense and

refer to the properties of soil. It does not materially change the objective. A section 32AA evaluation is not required.

GRUZ-P16. Protect the ongoing operation and development of existing sites of intensive indoor primary production production/intensive outdoor primary production (pig farming) and sites identified as regionally significant in RPROZ-SCHED1 – Scheduled rural production sites, by managing the location of noise sensitive activities on surrounding sites.

6. Another minor amendment is proposed to GRUZ-P16 to reference the corresponding schedule of regionally significant sites and refer to intensive outdoor primary production (pig farming). It does not have any effect on the implementation of the policy. A section 32AA evaluation is not required.

GRUZ-R47.	Servicing
<ol style="list-style-type: none"> 1. Where a connection to the Council's reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and 2. Where a connection to the Council's reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and 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. <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> 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: <ol style="list-style-type: none"> a. Accessible to firefighting equipment; and b. Between 6 and 90 m from any building housing a residential activity on the site; and c. 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 	<p>Activity status where compliance is not achieved: DIS</p>

~~d. Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.~~

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.

7. This amendment updates the approach applied in the 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. There is an expectation that new development is able to provide adequate measures and methods to manage the potential for fire. 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.

Amendment of the application of wider plan provisions

8. This chapter does not require any relevant provision of Part 2 or Part 3 of the plan to be considered when assessing the activity. This was erroneously included. Using RMA schedule 1, clause 16 the Panel has directed that the following bullet points are removed from the chapter:
- Any relevant provision in Part 2 District-Wide Matters; and
 - Any relevant provision in Part 3 Area Specific Matters.

Objectives

GRUZ-O6. Maintain the capacity of rural areas and rural resources to support agricultural, pastoral and horticultural activities, [commercial forestry](#) and lawfully established rural-based activities.

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

9. The objective gives effect to Sections 5 and 7 of the RMA by supporting the sustainable management of land-based resources for the benefit of current and future generations. Section 5(2)(b) and (c) are relevant, as the objective seeks to enable the use and development of rural land, acknowledging commercial forestry, while safeguarding its capacity to support rural activities. GRUZ-O6 aligns with other objectives in the rural chapter that promote land use compatibility, capability and primary production as the predominant function of the rural zone. Compared to a more general rural productivity objective, this version more specifically identifies commercial forestry as part of the rural land base and existing rural-based activities as core components of the zone's purpose.

Decision about most appropriate option

10. The amendment is considered to be more appropriate in achieving the purpose of **the RMA than the notified version. It clearly identifies the zone's role in supporting production-based land uses and avoids ambiguity about competing or**

incompatible land use expectations. This clarity assists with interpreting policies and rules that manage land use conflict and cumulative effects.

GRUZ-O15. In the general rural zone, unless specifically provided for by zone provisions, avoid subdivision or development that:

1. Provides for dwellings that are at a density greater than that anticipated by the general rural zone; or
2. Fails to provide for a clear delineation between urban areas and rural areas; or
3. Allows the establishment of incompatible adjacent land uses that could result in reverse sensitivity effects on rural primary production activities or existing lawfully established rural industries; or
4. Adversely affects on-going access to significant mineral resources; or
5. Impedes the ongoing operation maintenance, upgrading and development of existing and planned nationally/regionally significant infrastructure; or
6. Results in the uneconomic expansion of existing infrastructure; and
7. Fails to protect the use of highly productive land for primary production.

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

11. The amended objective gives effect to Sections 5 and 7 of the RMA and aligns with the National Policy Statement for Highly Productive Land. Protecting highly productive land from inappropriate development directly supports the sustainable management of natural and physical resources and the long-term availability of land for land-based primary production. While the notified objective addresses reverse sensitivity, infrastructure conflict, and rural character, it does not explicitly express the national direction on highly productive land. The inclusion of a new clause ensures that the plan framework recognises and responds to this national policy, particularly the requirement to prioritise and support land-based primary production on highly productive land.
12. The change at GRUZ-O15.3 to remove reference to **'rural activities'** and use the term **'primary production'** is minor. It is preferable to make an amendment to use a defined term. A section 32AA evaluation is not required.

Decision about most appropriate option

13. The amendment is considered to be more appropriate in achieving the purpose of the RMA than the notified version. The additional clause strengthens the policy framework by explicitly acknowledging the national priority of protecting highly productive land. **It reinforces the rural zone's primary function. This addition helps** avoid inappropriate development in areas where land quality underpins food and fibre production.

Policies

Amendments to GRUZ-P1 and GRUZ-P4

GRUZ-P1. Land use activities and development must be restricted to a density, scale and intensity and be located appropriately, in order to maintain rural character and amenity by:

1. Ensuring agricultural, pastoral and horticultural activities [and commercial forestry](#) predominate in the zone; and

And consequentially:

GRUZ-P4. Manage [commercial forestry](#), agricultural, pastoral and horticultural activities so that they do not result in adverse effects on the environment or adjacent sites by ensuring:

1. The activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and
2. Buildings are located appropriately and maximum site coverage is not exceeded without the introduction of mitigation measures; and
3. Adverse effects, are avoided, remedied or mitigated; and
4. Farm quarrying is allowed where small quantities of sand or aggregate are extracted primarily for use on the same holding; and
5. Artificial [shelters](#) [screens](#) and shelterbelts do not have an adverse effect on the environment, particularly on the amenity of adjacent properties, or on infrastructure such as roads, railway lines, electricity transmission and distribution lines.

Other reasonably practicable options

14. Other options include retaining the notified version of GRUZ-P1, which does not provide for commercial forestry. The notified version lacks clear direction on the desired rural land use in the district which in term limits its effectiveness as policy direction. A separate policy would be redundant given the structure of GRUZ-P1 and GRUZ-P4. Instead, integrating the reference directly into GRUZ-P1 provides clear policy hierarchy. The amendment to GRUZ P1 establishes the primacy of commercial forestry alongside agricultural, pastoral and horticultural activities. This requires a consequential amendment to GRUZ-P4 which manages the effects of agricultural, pastoral and horticultural activities.

Effectiveness and efficiency

15. The amendment to GRUZ-P1 is effective in clarifying that commercial forestry is an agreed component of rural production activities (as the dominant land use expected in the zone). It improves the ability of the plan to distinguish between appropriate and incompatible land uses. The consequential change to GRUZ-P4 ensures consistency by maintaining a clear link between recognising the predominance of rural activities and managing their effects. Both amendments

improve the efficiency of the plan by providing stronger policy direction without altering the fundamental purpose of the zone.

Costs and benefits

16. The primary benefit is enhanced clarity for plan users and decision-makers about the intended function of the rural zone. This supports better consenting outcomes and reduces the risk of policy misinterpretation. There are no new compliance costs created by the amendment. The changes clarify existing expectations rather than imposing regulatory cost.

Risk of acting or not acting

17. The risk of acting is low. The amendments clarify policy intent without altering objectives or rules. Not acting risks continued uncertainty over the role of commercial forestry as part of rural production activities generally and weakens the policy basis for limiting incompatible development.

Decision about the most appropriate option

18. The amendments to GRUZ-P1 and GRUZ-P4 are the most appropriate way to achieve the relevant objectives of the rural zone. They clarify intent and maintain consistency with the objectives including GRUZ-O6.

GRUZ-P3. Ensure that rural character, amenity and safety is maintained and that reverse sensitivity effects are minimised by:

.....

8. Ensuring activities do not compromise the safe operation of the land transport network or existing energy infrastructure.

Other reasonably practicable options

19. The other reasonably practicable options include retaining the notified version of GRUZ-P3 without reference to energy infrastructure or adopting more explicit policy support for energy generation and transmission as established components of the rural environment. One option was to amend GRUZ-P3.5 to recognise that energy infrastructure alongside farming, forestry and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects. However, it was not agreed that communities necessarily accept energy infrastructure as a key component of the general rural zone.
20. As such, a broader amendment that treats energy infrastructure as an accepted component of the rural zone was not supported. However, targeted reference to existing infrastructure aligns with the management of reverse sensitivity effects where the infrastructure is in-situ. Including this clause addressing the safe operation of energy infrastructure offers a balanced solution.

Effectiveness and efficiency

21. The amendment is effective in recognising the need to protect the operational integrity of existing infrastructure without asserting community acceptance of its presence. The policy better supports plan administration by clearly linking reverse

sensitivity considerations to energy infrastructure, better aligning with national and regional policy frameworks.

22. It is efficient because it provides direction at the policy level, reducing potential ambiguity and complements existing references to the land transport network. This amendment does not extend the scope of the policy beyond what is necessary.

Costs and benefits

23. The benefit of the amendment is improved recognition and protection of existing energy infrastructure, reducing the likelihood of land use conflict where new activities are proposed in close proximity. There are no material costs introduced by the amendment, as it does not expand the scope of permitted effects or create obligations for landowners beyond what is already reasonably anticipated through reverse sensitivity provisions.

Risk of acting or not acting

24. The risk of acting is low. The amendment clarifies the scope of reverse sensitivity management without altering the underlying objectives of the plan. Policy silence on energy infrastructure may create uncertainty for plan users and decision-makers.

Decision about the most appropriate option

25. The amendment to GRUZ-P3 is the most appropriate way to achieve the relevant rural zone objectives, particularly GRUZ-O10. It is a targeted and proportionate refinement that seeks to manage land use conflict without overstating the status of energy infrastructure in the rural environment.

GRUZ-P3. Ensure that rural character, amenity and safety is maintained and that reverse sensitivity effects are minimised by:

.....

5. Recognising that ~~farming, forestry and quarrying activities~~ primary production (including agricultural aviation) ~~is~~ are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and

Other reasonably practicable options

26. Other options include retaining the reference to "farming, forestry and quarrying" without aligning with the broader definition of "primary production", or addressing agricultural aviation in a separate clause. On balance, **referencing "primary production" simplifies the wording, aligns with the plan's defined terms and ensures the policy covers expected rural activities, including aerial operations.** A separate clause for agricultural aviation is therefore unnecessary.

Effectiveness and efficiency

27. The amendment is effective in clarifying the scope of rural activities that may generate effects that are considered acceptable within the rural environment. It

enhances policy consistency by using a defined term and acknowledging support activities that are integral to rural operations. Efficiency is improved as the plan can more clearly assess a wider range of rural land uses without relying on individual policies guiding each matter.

Costs and benefits

28. The key benefit is better policy alignment with activities in the working rural environment and their potential effects. This improves decision-making on land use compatibility. No new costs are introduced, as the change reflects existing rural activity patterns. It may help to reduce interpretive disputes about whether certain effects are anticipated in the zone.

Risk of acting or not acting

29. The risk of acting is low. The change reinforces what is already occurring in the **district's** rural environments and aligns policy language with the existing plan framework. Not acting risks a narrow reading of what constitutes expected rural activity, potentially resulting in regulatory uncertainty for activities like agricultural aviation integral to primary production systems.

Decision about the most appropriate option

30. The amendment to GRUZ-P3 is the most appropriate option. It strengthens the policy basis for managing rural effects and provides a more complete and functional description of accepted rural activities. It is consistent with GRUZ-O2, O5 and O10.

GRUZ-P7. Tourism activities are ~~enabled~~ provided for in the general rural zone where:

1. The operation of lawfully established primary production activities are not compromised by the introduction or intensification of a tourism activity; and
2. The scale, intensity, timing and nature of the adverse effects from the tourism activity can be avoided, remedied or mitigated; and
3. The scale, location and operation of the tourism activity is consistent with the capacity, design and function of the roading hierarchy transport network; and
4. The activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and
5. The effects, scale and/or intensity of the tourism activity can be appropriately managed; and
6. The tourism activity protects and enhances the natural environment, including ecological, natural landscape, cultural and heritage features; and

Activities are particularly encouraged where they:

7. Complement the recreational values of the Timber Trail Cycleway or Te Araroa trail; or
8. Support enhanced public access and appreciation of the coastline or lake or river margins.

Other reasonably practicable options

31. This is a minor wording change. Other options include retaining the notified version of GRUZ-P7 **which uses the word 'enable' rather than 'provide'**, or creating separate policies for each element including river catchments, landscape features, or public access. This alternative would fragment the policy framework. The amended policy corrects a weighting error to provide a more integrated approach to managing tourism in rural areas. It seeks to combine land use compatibility, environmental protection, and encompass community benefits of the activity in one policy.

Effectiveness and efficiency

32. The amendment is effective because it correctly weights the approach to tourism in the general rural zone. It now provides for tourism while managing its potential impacts on rural production, infrastructure, and the environment. That is, it recognises the value of tourism while protecting the core function of the rural zone. Efficiency is improved by retaining a unified policy that supports the preferred outcomes in the general rural zone.

Costs and benefits

33. The benefit of the amendment is that it provides for rural-based tourism in a managed way that supports economic activity and public enjoyment of rural landscapes. It provides appropriate safeguards for primary production and the **environment, particularly the Upper Waipā River catchment**. There are minimal costs, as it enables some tourism operations while providing clear assessment criteria to reduce uncertainty and therefore minimise associated processing costs.

Risk of acting or not acting

34. The risk of acting is low. The policy improves alignment with environmental priorities in the general rural zone while enabling economic diversification. Not acting risks continued uncertainty about how and where rural tourism can be accommodated, potentially leading to conflict with primary production activities.

Decision about the most appropriate option

35. The amended policy is the most appropriate way to achieve the purpose of the RMA and the relevant objectives of the rural zone, particularly GRUZ-O2, O3 and O9. It balances economic and environmental outcomes and provides a structured basis for evaluating tourism proposals.

GRUZ-P9. Where visitor accommodation is proposed, its scale and design must enhance rural amenity, quality and character, and ensure site specific issues including [reverse sensitivity](#), servicing and transport related effects are appropriately addressed.

GRUZ-P10. Minimise the potential for [seasonal worker accommodation and residential based visitor accommodation to generate reverse sensitivity issues](#), adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.

Other reasonably practicable options

36. Other options include relying on general rural amenity and land use compatibility policies or combining both provisions into a single visitor accommodation policy. The policies could also be deleted in favour of not providing for visitor accommodation in the general rural zone at all. However, the policies address different effects and the addition of 'seasonal worker accommodation' adds further distinction between the two policies, justifying separate but related provisions. Additionally, combining the policies could risk losing the more targeted focus on occupancy control. In respect of not providing for these activities at all, from an effects-based perspective these activities largely have the same impacts as a residential activity.

Effectiveness and efficiency

37. The policies are effective in managing the rural effects of visitor accommodation. GRUZ-P9 provides a broad framework for integrating accommodation into the rural environment, while GRUZ-P10 focuses on managing reverse sensitivity. This approach is efficient as it supports a range of accommodation types while enabling effects to be managed proportionately, including by providing operational controls through occupancy limits.

Costs and benefits

38. The benefit of these policies is the support for rural tourism and diversification, while managing the most common sources of conflict, those being traffic, noise, reverse sensitivity and character impacts. There are no material costs introduced by the policies themselves. Compliance obligations, such as occupancy limits may inflict a cost but the approach is consistent with community expectations in the rural environment.

Risk of acting or not acting

39. The risk of acting is low. The policies provide guidance that reflects existing plan rules, emerging rural tourism trends and worker accommodation needs in the district. They clarify expectations for plan users and reduce the potential for interpretation issues. Not acting could result in inappropriate intensification of worker and visitor accommodation without adequate policy support for limiting scale and addressing potential adverse effects.

Decision about the most appropriate option

40. The amendments to GRUZ-P9 and GRUZ-P10 are the most appropriate way to achieve the purpose of the RMA. They offer a structured and differentiated policy approach that enables tourism and worker accommodation while maintaining rural character and managing land use effects. The policies appropriately respond to GRUZ-O2, O3, O9 and O10.

GRUZ-P12. Quarrying activities are managed so that the adverse effects are internalised as far as practicable in the first instance, then avoided, remedied or mitigated as far as practicable through management methods and rehabilitation plans that address matters including:

1. Demonstrating that the activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and

2. Management of dust, noise, vibration, access and illumination to maintain amenity values, particularly during night time; and
3. Ensuring structures are appropriately located in relation to boundaries, and are of an appropriate scale; and
4. Undertaking remedial measures during extraction operations; and
5. Ensuring the scale and location of mineral extraction is consistent with the capacity, design and function of the road network; and
6. Minimising any adverse effect on rural character; and
7. Ensuring sites are rehabilitated using appropriate materials, substrates and indigenous vegetation to provide for the recolonisation of indigenous species; and
8. Minimising the removal of indigenous vegetation and soil as far as practicable; and
9. Where removal of high class soils cannot be avoided, as far as practicable enabling the use of the soil to rehabilitate land elsewhere in the region
10. Managing adverse effects on hydrological systems and on the geomorphological or hydrological characteristics of the karst system.
- ~~9 Controlling and filtering sediment movement at source to prevent entry of sediment into karst hydrological systems; and~~
- ~~10 Employing methods to manage and reduce peak runoff in order to simulate near natural infiltration rates and patterns of karst hydrological systems; and~~
- ~~11 Minimising the drawdown of water in the subcutaneous zone in karst hydrological systems.~~

Other reasonably practicable options

41. Alternative options include relying on generic policies or omitting quarry-specific direction for features such as karst systems and high-class soils. These options would be insufficient, given the unique scale, duration and biophysical sensitivity of quarrying operations. Noting that the intention of this policy is to focus on internalising effects as far as possible and then employ **the 'ARM'** in no particular order to address externalities. Given this, the proposed amendment provides detailed policy guidance that better supports decision-making for quarry proposals, particularly in areas with sensitive hydrology, karst systems, high-class soils or proximity to highly **valued catchments like the Upper Waipā**.

Effectiveness and efficiency

42. The amended policy is effective in addressing both the general and the site-specific effects of quarrying. It promotes early internalisation of effects, structured mitigation and forward planning for rehabilitation. This approach is particularly relevant for long-duration or high-impact quarrying activities.
43. It is efficient because it provides a comprehensive checklist for applicants and decision-makers, reducing the need for ad hoc assessment criteria. This improves the consistency and efficiency of the consenting process. Removing GRUZ-P12.9

- P12.11 was in response to concerns that the provisions may have strayed too far into regional council functions and responsibilities. While these matters were included for completeness as part of management methods and plans, they are outside the duties and powers of district councils. The replacement point seeks to ensure adverse effects on hydrological systems and on the geomorphological or hydrological characteristics of the karst system, are managed. In that way, district council functions such as the location of ponds and overburden can be addressed through management methods and rehabilitation plans provided for in this policy.

Costs and benefits

44. The benefits of the policy include improved environmental protection, clearer expectations for quarry operators and better long-term outcomes for local amenity, hydrology and the wider landscape. The focus on karst systems and soil reuse provides for sustainable land and water resource management. The main cost is the requirement for a more thorough assessment and design in quarry consent applications, including detailed rehabilitation planning and hydrological design. However, these are proportionate to the scale of effects and are aligned with best practice.

Risk of acting or not acting

45. The risk of acting is low. The policy strengthens environmental safeguards, especially in karst and high-class soil areas, while enabling quarrying to proceed with appropriate management and monitoring measures. Not acting may lead to inconsistent or insufficiently rigorous assessment of quarry impacts, particularly where unique geological or hydrological systems are at risk.

Decision about the most appropriate option

46. The proposed policy is the most appropriate way to achieve the purpose of the RMA. It provides a comprehensive but proportionate framework for quarrying activities that supports rural productivity while maintaining environmental and community values. The policy aligns to GRUZ-O1, O4, O5 and O12.

GRUZ-NEW. Ensure new intensive indoor primary production activities and intensive outdoor primary production (pig farming) are separated from existing sensitive activities to prevent adverse noise, glare, traffic generation, visual and odour effects.

Other reasonably practicable options

47. Other options include relying on general amenity and effects-based policies (such as GRUZ-P1 and GRUZ-P3) or introducing new rules without specific policy support. The existing provisions primarily manage effects from sensitive activities locating near productive rural land, rather than directing separation from activities. This policy fills a gap by requiring new intensive activities to locate away from sensitive receptors, complementing existing reverse sensitivity provisions. A rule-based approach (see below) without a supporting policy would lack guidance for consent decisions.

Effectiveness and efficiency

48. The policy is effective because it provides clear direction that intensive primary production, an activity with potentially significant effects, should avoid proximity to sensitive uses such as dwellings or schools. This strengthens the integrity of the rural-residential interface. It is efficient as it enables effects to be managed proactively through location rather than relying on post-establishment mitigation measures. It also provides clearer grounds to assess proposals for more intensive operations in proximity to sensitive uses.

Costs and benefits

49. The benefit is improved clarity for applicants and decision-makers, reducing land use conflict and potential loss of amenity for existing sensitive uses. It helps protect more intensive activities from complaints by ensuring they are appropriately located. There may be locational constraints for some operators, but these are offset by the benefit of reduced local opposition and improved land-use compatibility. No regulatory burden is created beyond existing effects-based expectations.

Risk of acting or not acting

50. The risk of acting is low, as the policy formalises an approach that is already commonly applied in effects assessments related to more intensive activities. Not acting could result in inconsistent or unclear outcomes, with a higher risk of conflict where intensive activities are approved near established dwellings or other sensitive uses.

Decision about the most appropriate option

51. The proposed new policy is the most appropriate option as it provides necessary strategic direction for managing high-intensity land uses and complements existing reverse sensitivity policies. It responds to GRUZ-O5, O7 and O10.

Rules

Amendment to GRUZ-R15 (Vegetation Clearance in the General Rural Zone)

GRUZ-R15: Activity status: PER

Where:

1. Clearance of non-indigenous vegetation (excluding plantation forestry) for [weed control](#), pasture reinstatement or for a building platform where this is located outside of an identified significant natural area is permitted; and
2. Clearance of indigenous scrub vegetation (manuka, kanuka, tree ferns) outside of an identified significant natural area for [weed control](#), pasture reinstatement or for a building platform must:
 - (i) Not occur within 5 m of a water body; and
 - (ii) Not be cleared if the vegetation is greater than 5 m in height.
3. [Clearance of non-indigenous vegetation or indigenous scrub vegetation \(manuka, kanuka, tree ferns\) outside of an identified significant natural area](#)

for removal of material infected by unwanted organisms under the Biosecurity Act 1993.

Effectiveness and Efficiency

52. The proposed amendment to GRUZ-R15 is considered effective and efficient as it enables rural landowners to undertake essential vegetation clearance activities, while ensuring that sensitive ecological features such as water bodies and tall indigenous vegetation remains protected. The rule maintains a distinction between indigenous and non-indigenous vegetation and applies spatial and height-based thresholds to manage environmental effects.
53. The amendment improves the effectiveness of the plan by clarifying which activities are permitted under what conditions. By specifying a 5-metre buffer from water bodies and a height threshold of 5 metres, the provision provides measurable criteria, thereby reducing the potential for interpretation issues.
54. By including a specific reference to vegetation removal in accordance with the Biosecurity Act 1993, the amendment recognises that some clearance may be required as part of nationally mandated pest response strategies. This ensures that the rule does not inadvertently create barriers to this.

Costs and Benefit Assessment

55. The benefits include improved clarity and greater certainty for landowners undertaking routine vegetation clearance. The rule sets clear, enforceable parameters that avoid the need for unnecessary resource consent applications where environmental risk is low. It also ensures plan alignment with biosecurity obligations, avoiding potential conflict with national pest response operations.
56. There are environmental benefits in retaining the ecological safeguards, setbacks from water bodies and height limits that help maintain habitat values. At the same time, the rule permits landowners to respond quickly to unwanted organisms.
57. The costs associated with the amendment are minimal. The benefits of the proposed rule outweigh any minor implementation costs.

Risk of Acting or Not Acting

58. The risk of acting is low. The changes improve the usability of the rule and recognise the need to act quickly in response to biosecurity threats. The provision includes clear limitations to prevent adverse ecological outcomes and aligns with the overall objectives of the rural zone.
59. In contrast, not acting may perpetuate uncertainty in rule interpretation and may unintentionally discourage landowners from complying with pest control or restoration initiatives, especially if they are unsure whether consent is required.

Decision about the most appropriate option

60. The proposed amendment to GRUZ-R15 is the most appropriate way to achieve the purpose of the RMA **and the plan's objectives**.

GRUZ-RX.	Minimum <u>setback</u> from commercial forestry
<p>1. <u>The minimum setback for a new building housing a residential activity must be 40 m from existing commercial forestry on an adjacent site; and</u></p> <p>2. <u>Buildings housing a residential activity may be erected up to any common boundary with an adjacent site which is in the same holding.</u></p> <p><u>Note: The rule does not apply to afforestation setbacks which are managed by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023.</u></p>	<p><u>Matters over which discretion is restricted:</u></p> <p>(a) <u>The extent to which the activity can be relocated to meet setback requirements; and</u></p> <p>(b) <u>The layout, design and location of the residential activity, including consideration of shading effects, topographical and geographical features; and</u></p> <p>(c) <u>Potential reverse sensitivity effects on adjoining commercial forestry.</u></p>

Effectiveness and Efficiency

61. The proposed amendment is effective in managing potential conflicts between residential and forestry land uses. It recognises that residential activities located close to plantation forestry may experience shading, noise, or safety effects, and introduces a 40-metre setback to reduce such risks. The exemption for common ownership boundaries avoids unnecessary regulation where conflict is unlikely.
62. The rule efficiently incorporates discretion to allow flexibility where site-specific circumstances (e.g. topography or shelter) reduce the need for full compliance. It also avoids duplication with the NES for Commercial Forestry, ensuring regulatory clarity.

Costs and Benefit Assessment

63. The rule provides certainty to forestry operators that new dwellings will not locate too close to active forestry operations, thereby reducing the risk of reverse sensitivity complaints. It benefits landowners by clearly identifying when a setback is required and when it can be relaxed. The cost to landowners is a potential limitation on building placement, however, this is offset by the ability to seek consent with targeted discretion. Administrative costs to council are low due to the limited scope of discretion. Overall, the benefits of improved rural compatibility and reduced land use conflict outweigh the minor costs associated with the rule.

Risk of Acting or Not Acting

64. The risk of acting is low. The rule provides clear and targeted protection for existing plantation forestry without imposing unnecessary barriers to residential development. Not acting could result in increased land use conflict, uncertainty, and reduced operational security for forestry activities.

Decision about the most appropriate option

65. The proposed amendment is the most appropriate way to achieve the purpose of the RMA and achieve the objectives of the plan. It supports the sustainable co-location of forestry and residential activities in the rural environment by managing reverse sensitivity in a proportionate manner.

<u>GRUZ-RX</u>	<u>Seasonal worker accommodation</u>
<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>1. The maximum occupancy must not exceed twelve persons per site at any one time; and</u> <u>2. The seasonal worker accommodation is associated with a horticultural activity; and</u> <u>3. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities; and</u> <u>4. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008.</u> 	<p><u>Activity status where compliance is not achieved: RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <ol style="list-style-type: none"> <u>(a) The effect on surrounding properties, character and amenity; and</u> <u>(b) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> <u>(c) Potential reverse sensitivity effects on any adjoining activities; and</u> <u>(d) The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008.</u>

'Seasonal worker accommodation' means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement associated with a horticultural activity.

Effectiveness and Efficiency

66. The proposed rule and definition are effective in enabling a known and necessary support activity for horticultural operations, while clearly limiting the scale, form, and purpose of that activity. By linking accommodation to horticultural use and requiring compliance with an established Code of Practice, the rule ensures alignment with both operational and housing/welfare expectations. The occupancy cap and facility requirements help to ensure that the activity remains small-scale and fit-for-purpose, reducing the risk of unintended intensification. The inclusion of a targeted definition reinforces this intent, improving plan interpretation and enforcement. The restricted discretionary status for non-compliance ensures flexibility without weakening the standards that protect rural amenity.

Costs and Benefit Assessment

67. The benefits of the amendment include operational support for horticultural enterprises, increased worker welfare and clear guidance for landowners and compliance staff. The rule supports the productive use of rural land while managing effects such as traffic, noise, and amenity disruption. The requirement for Code of Practice compliance ensures a nationally consistent standard for worker accommodation, minimising health and safety risks and enabling monitoring.

68. The costs of the rule are low, being limited to minor administrative steps for compliance. Where standards cannot be met, the restricted discretionary pathway offers a more streamlined assessment route. The benefits of supporting seasonal labour while maintaining rural character and amenity outweigh the minor costs.

Risk of Acting or Not Acting

69. The risk of acting is low. The rule provides a structured and enforceable way to accommodate seasonal workers within defined limits, aligned with recognised best practice. Not acting may lead to poorly located or substandard accommodation or increased amenity complaints. It may also discourage investment in horticulture due to uncertainty about the provision of workforce accommodation.

Decision about the most appropriate option

70. The proposed rule and definition are the most appropriate way to achieve the purpose of the RMA **and the plan's objectives**. They enable rural productivity while safeguarding health, amenity, and character. The provisions are proportionate and discretion is targeted through the restricted discretionary framework.

GRUZ-RX.	<u>Artificial crop protection structures</u>
<p>1. <u>Artificial crop protection structures must not exceed 6 m in height as measured from ground level and must not be located closer than any of the distances specified below:</u></p> <p>(i) <u>5 m from the boundary of an adjacent property that is not owned by the owner of the land it is located on; and</u></p> <p>(ii) <u>5 m from any road or railway line.</u></p> <p>2. <u>Green or black cloth must be used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained.</u></p> <p><u>Note: See the transport chapter for additional line of site requirements applying to the land transport network.</u></p>	<p><u>Matters over which discretion is restricted:</u></p> <p>(a) <u>The location and extent of the activity and its effects on amenity values of nearby residential properties and public places; and</u></p> <p>(b) <u>Whether the activity would create new or exacerbate existing hazards to traffic or to the operation of railway lines, overhead power or telephone lines; and</u></p> <p>(c) <u>The extent to which the activity can be relocated to meet setback requirements; and</u></p> <p>(d) <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u></p> <p>(e) <u>Potential reverse sensitivity effects on any adjoining rural activities; and</u></p> <p>(f) <u>The effects of glare on neighbouring properties or road users.</u></p>

GRUZ-R46.	Maximum building coverage
<ol style="list-style-type: none"> 1. For sites equal to or less than one hectare the maximum amount of a site which can be covered by buildings is 15%; and 2. For sites greater than one hectare the maximum amount of a site which can be covered by buildings is 3%. 3. Provided emergency service facilities and artificial crop protection structures are exempt from this rule. 	Activity status where compliance is not achieved: DIS

'crop protection structures' means an open structure on which plants are grown.

Effectiveness and Efficiency

71. The proposed definition and associated rules effectively provide for artificial crop protection structures as an accepted rural activity while managing their potential effects. The definition is clear and accurately describes common structures used in commercial horticulture. Recognising these structures in both a rule and definition ensures consistency across the plan.
72. Rule GRUZ-RX ensures crop protection structures are appropriately located and designed to avoid visual dominance. The use of dark-coloured materials and the 6-metre height limit are fitting in the rural environment. The exemption from GRUZ-R46 ensures that these lightweight, open-sided structures are not inappropriately captured as buildings for coverage limits, avoiding unintended regulatory constraints on their use. The restricted discretionary activity status allows targeted consideration of effects without over-regulating routine horticultural infrastructure.

Costs and Benefit Assessment

73. The key benefit is clarity and support for productive horticultural activities, reducing unnecessary consenting requirements for essential rural infrastructure. Exempting artificial crop protection structures from site coverage rules recognises that they do not have the same footprint or bulk as traditional buildings and should not be constrained as such. There are minor compliance costs for landowners in adhering to setback and colour requirements. However, these are offset by the permitted activity status and the ability to tailor mitigation through a consent process where needed. The overall benefit of supporting horticulture while managing amenity impacts outweighs the minimal costs of implementing and enforcing the proposed controls.

Risk of Acting or Not Acting

74. The risk of acting is low. The rule changes are clearly defined and aligned with known industry practice. Not acting risks ongoing uncertainty about how such structures are regulated, potentially discouraging investment in horticultural infrastructure and increasing pressure on Council to issue unnecessary consents.

Decision about the most appropriate option

75. The proposed definition and related rules are the most appropriate way to achieve the purpose of the RMA **and the plan's objectives**. They support sustainable rural land use, reduce administrative burden, and protect amenity, infrastructure, and rural character through clear and proportionate regulation. Note these changes require a consequential amendment to GRUZ-R5.

GRUZ-R39.	Height and height in relation to boundary
<ol style="list-style-type: none"> 1. Structures must not exceed 10 m in height as measured from ground level; and 2. <u>Frost fans must not exceed 15 m in height as measured from ground level, inclusive of blades; and</u> 3. 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 - GRUZ 1. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure or materials; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, privacy, rural character and amenity; and (d) Ability to soften the visual impact of the structure or materials from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining rural activities.

Effectiveness and Efficiency

76. The proposed rule is effective in managing the scale and location of frost fans to protect the visual amenity of neighbouring sites. It introduces consistent, measurable thresholds that are appropriate to the rural context, including specific standards for tall, narrow infrastructure like frost fans. The use of recession planes and height caps is efficient in controlling built form without requiring complex assessments. The restricted discretionary pathway allows for site-specific consideration where standards cannot be met.

Costs and Benefit Assessment

77. The benefits of the rule include clear expectations for building height and boundary relationships, minimising conflict between rural neighbours and preserving open space and sunlight access. It also reduces the risk of large or poorly located structures undermining rural character. The cost to landowners is limited to situations where large structures or unusual site conditions trigger the need for consent. These are appropriately managed through targeted discretion, enabling mitigation measures such as planting or building design. The benefits of enhanced amenity and certainty outweigh the limited regulatory costs.

Risk of Acting or Not Acting

78. The risk of acting is low. The rule applies long-established and defensible planning mechanisms (being height limits and recession planes), with flexibility through

the restricted discretionary pathway. Not acting may lead to adverse cumulative effects on rural amenity and increased disputes over visual dominance.

Decision about the most appropriate option

79. The proposed rule is the most appropriate way to achieve the purpose of the RMA. It provides clarity, protects rural character and amenity, and allows flexibility where effects can be appropriately managed through design or mitigation.

GRUZ-R42.	Minimum <u>setback</u> from the boundary of a rural production zone or the boundary of an established <u>site</u> of <u>intensive indoor primary production</u> or <u>intensive outdoor primary production (pig farming)</u> .
<ol style="list-style-type: none"> 1. The minimum setback for a building housing a residential activity from the boundary of a rural production zone must be 250 m; and 2. As measured from the perimeter of the external walls of the treatment systems, structures housing animals (and hardstand areas associated with those) on an established site of intensive indoor primary production, the minimum setback for a building housing a residential activity must be 500 m. 3. <u>As measured from the boundary of an established site of intensive outdoor primary production (pig farming), the minimum setback for a building housing a residential activity must be 500 m.</u> 4. The provisions of this rule do not apply to any building housing a residential activity within the intensive indoor primary production/<u>intensive outdoor primary production (pig farming)</u> holding or in a rural production zone. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Potential reverse sensitivity effects on any rural production zone or intensive indoor primary production activities/<u>intensive outdoor primary production (pig farming)</u>; and (b) Site topography and orientation and whether the structure can be more appropriately located or designed to minimise potential reverse sensitivity effects; and (c) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site; and (d) The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.

Effectiveness and Efficiency

80. The amendment is effective in managing reverse sensitivity effects by providing substantial buffers between sensitive residential uses and activities that generate odour, noise, or heavy vehicle movements. It ensures the continued viability of intensive farming by reducing the potential for future land use conflict. The rule is efficient in that it applies clear, measurable setbacks while also allowing flexibility through restricted discretion where site conditions make compliance impractical. It does not apply to residential activities within the same production holding, avoiding unnecessary regulation in low-risk scenarios.

Costs and Benefit Assessment

81. The benefits of the amendment include increased certainty and operational security for intensive primary production activities. The provision reduces the likelihood of complaints or pressure on producers to alter lawful activities due to

nearby residential encroachment. While the setback distances may constrain building location on some sites, these costs are offset by the ability to apply for consent under limited matters of discretion. There is no significant additional compliance costs introduced. The overall benefit of reducing land use conflict and supporting productive land use outweighs the limited cost to landowners in constrained locations.

Risk of Acting or Not Acting

82. The risk of acting is low. The rule is carefully targeted, includes measurable criteria and allows discretion for site-specific variation. Not acting may allow encroachment of residential dwellings into areas where intensive indoor primary production activities occur, increasing the risk of conflict, complaints, and regulatory pressure on existing operators.

Decision about the most appropriate option

83. The proposed rule is the most appropriate way to achieve the purpose of the RMA and achieve the objectives of the plan. It supports the ongoing operation of intensive primary production activities by minimising reverse sensitivity effects, while providing flexibility where mitigation or alternative site design is possible.

<u>GRUZ-RX</u>	<u>Visitor accommodation and residential based visitor accommodation</u>
<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p>1. <u>The maximum occupancy must not exceed eight guests at any one time.</u></p>	<p><u>Activity status where compliance is not achieved: RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p>(a) <u>The effect on surrounding properties, character and amenity; and</u></p> <p>(b) <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u></p> <p>(c) <u>Potential reverse sensitivity effects on any adjoining activities.</u></p>

Effectiveness and Efficiency

84. The proposed rule was inadvertently omitted from the general rural zone provisions. It is effective in enabling small-scale visitor accommodation in rural and rural lifestyle zones while protecting the amenity of neighbouring properties. Limiting occupancy to eight guests ensures that such activities remain consistent with the character of low-density rural environments.
85. The use of a restricted discretionary activity status above this threshold allows councils to assess potential effects on a case-by-case basis, ensuring flexibility without compromising environmental or social outcomes. The matters of discretion are well-targeted and ensure that key potential impacts—traffic, noise, amenity, and compatibility—can be addressed during consent assessment.

Costs and Benefit Assessment

86. The amendment provides benefits by supporting rural economic diversification through visitor accommodation and protecting rural character. It allows for certainty by setting a clear occupancy threshold. The costs to landowners are low, as accommodation for up to eight guests can proceed without consent. Where larger operations are proposed, the restricted discretionary pathway ensures that potential adverse effects can be addressed. Overall, the rule sets clear expectations and balances economic opportunity and targeted regulation.

Risk of Acting or Not Acting

87. The risk of acting is low. The rule introduces a measurable threshold that enables enforcement. Allowing visitor accommodation activities helps manage the growing rural tourism trend and supports the rural economy. If no such threshold is adopted, there is greater risk of unmanaged effects on neighbours.

Decision about the most appropriate option

88. The proposed rule is the most appropriate way to achieve the purpose of the RMA and the objectives of the plan. It supports rural economic development while managing effects on amenity through a clearly defined and scalable regulatory pathway.

Amendments to Agricultural Aviation Definitions

agricultural aviation activities means the intermittent operation of an aircraft from a rural airstrip or farm helipad for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including firefighting, stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).

agricultural, pastoral and horticultural activities means the use of land and/or buildings where the primary purpose is to produce livestock, crops and other agricultural produce that relies on the productive capacity of land and maintains the groundcover, including:

- (a) Agriculture, pastoral/livestock farming, dairying and horticulture.
- (b) Storage of horticultural and agricultural products produced on the site or holding.
- (c) The storage and spreading of solid and liquid animal waste.
- (d) Beekeeping.
- (e) Covered and uncovered stock yards.
- (f) Accessory buildings including farm implement sheds, milking sheds, woolsheds, stables, hay barns and buildings for the storage of feed which is to be used on the holding.
- (g) Farm airstrips and farm helipads Agricultural aviation activities

Strikethrough version:

~~farm rural~~ airstrips and farm helipads means any area of land ~~in the general rural zone used for take off and landing designed to be used for the landing, departure, movement or servicing~~ of aircraft (including fixed-wing aeroplanes, helicopters and unmanned aerial vehicles), for the purpose of servicing rural land agricultural aviation activities. ~~but For clarity it does not include refuelling, servicing, storing of aircraft or freight handling facilities, Servicing of rural land includes but is not limited to aerial topdressing, application of agrichemicals, fire fighting, forestry, fencing, delivery of farm supplies and equipment, and the collection of farm produce, but excludes or~~ airstrips or helipads directly associated with commercial passenger transport ~~or associated with any~~

~~activity located in the general rural zone for which resource consent is required.~~

Clean version:

rural airstrips and farm helipads means any area of land designed to be used for the landing, departure, movement or servicing of aircraft (including fixed-wing aeroplanes, helicopters and unmanned aerial vehicles), for the purpose of agricultural aviation activities. For clarity it does not include storing of aircraft or freight handling facilities or airstrips or helipads directly associated with commercial passenger transport.

Effectiveness and efficiency

89. The proposed amendments are effective as they better align with the current and anticipated use of aviation in the rural environment. They provide clear guidance to plan users about the scope of permitted activities, avoid ambiguity around modern technologies like UAVs and ensure internal consistency across definitions. By updating terminology and definitions, the amendments will help to improve the usability of the plan and assist rural landowners and contractors to understand the scope of their permitted operations.
90. The amendments remove duplicative terminology, reducing confusion for plan users. **Using the broader category of "agricultural aviation activities," plan enables a wider range of operational scenarios without requiring additional rulemaking.**

Costs and Benefit Assessment

91. The anticipated benefits of the amendments include improved alignment across definitions and greater clarity for landowners and contractors. There are also environmental and public interest benefits from enabling efficient emergency, biosecurity and biodiversity-related aerial work without unnecessary regulatory delays. The costs associated with the amendments are minimal. Overall, the benefits of the amendments outweigh the implementation costs.

Risk of Acting or Not Acting

92. The risk of adopting the amendments is low. They provide clarity on commonly undertaken rural activities. In contrast, failing to adopt the amendments could lead to ambiguity and unintended consequences.

Decision about the most appropriate option

93. The recommended amendments are the most appropriate way to achieve the purpose of the RMA and the objectives of the general rural zone.

HW-RX.

Burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993

<u>Activity status: PER</u> <u>Where:</u> <ol style="list-style-type: none"> 1. <u>The activity does not occur in the residential, settlement, tourism, Māori purpose or commercial zones; and</u> 2. <u>The activity does occur not within 20 m of a water body or the coastal marine area or within a 20 m radius of an entry or opening into any cave or sinkhole.</u> 	<u>Activity status where compliance is not achieved: NC</u>
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Effectiveness and Efficiency

94. The proposed rule is effective in providing for an urgent biosecurity response while protecting environmental values. By enabling burial of infected material only in appropriate zones and away from sensitive features, the rule ensures biosecurity risks can be managed without creating unacceptable ecological impacts.
95. The permitted activity status allows for rapid action during a declared biosecurity emergency, while clear spatial exclusions protect vulnerable receiving environments such as water bodies, caves and residential areas. Non-compliance is treated as non-complying, reflecting the need for a high threshold in cases where sensitive features may be affected.

Costs and Benefit Assessment

96. The benefit of the rule is the ability to act decisively and legally to contain or manage unwanted organisms under powers provided by the Biosecurity Act 1993. The spatial limits protect groundwater, karst systems, and community amenity from adverse effects of burial. Costs are limited to the need to assess appropriate burial sites, but this is standard within a biosecurity response framework and aligns with national guidance. The non-complying fallback ensures that inappropriate or high-risk burial sites are subject to a full effects assessment. The benefits of timely biosecurity response significantly outweigh the minor site selection constraints.

Risk of Acting or Not Acting

97. The risk of acting is low. The rule integrates emergency biosecurity functions into the plan. The spatial setbacks manage environmental risk while allowing appropriate operational flexibility. Not acting may result in regulatory ambiguity during a declared biosecurity event, delaying response times and increasing the risk of spread. It may also result in burial practices in sensitive areas if not explicitly excluded by rule.

Decision about the most appropriate option

98. The proposed rule is the most appropriate way to achieve the purpose of the RMA and the objectives of the plan. It supports rapid containment of unwanted organisms while avoiding adverse effects on sensitive environments.

intensive outdoor primary production (pig farming) means a primary production activity involving the keeping or rearing of pigs that principally occurs outdoors which, by the nature of the activity, precludes the maintenance of pasture or ground cover. Excludes outdoor (extensive) pig farming.

<u>GRUZ-RX.</u>	<u>Intensive indoor primary production and Intensive Outdoor Primary Production (Pig Farming)</u>
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Activity status: RDLS

Where:

3. All of the performance standards in GRUZ – Table 2 are complied with: and
4. As measured from the perimeter of any treatment systems, structures or paddocks housing animals (and hardstand areas associated with those), intensive indoor primary production must be located at least:
 - (iii) 500 m from any existing building housing a residential activity or a sensitive activity on a separate holding: and
 - (iv) 1 km from any boundary of the rural lifestyle, settlement, residential, open space, future urban, tourism or Māori purpose zones or the amenity precinct.

Matters over which discretion is restricted:

- (k) The extent to which the site will operate in accordance with an approved Farm Environment Plan or relevant industry codes of practice: and
- (l) Visual effects including bulk, scale and location of the structures and landscape planting: and
- (m) Potential reverse sensitivity effects on any adjoining rural activities: and
- (n) The effect on surrounding properties, rural character and amenity: and
- (o) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment: and
- (p) The layout, design and location of the activity, including consideration of wind and climate patterns and the topographical and geographical features affecting odour, dust, visual impact and noise: and
- (q) The effects of increased traffic and the timing of traffic generation: and
- (r) The likely effects on persons living and working in the locality from noise, odour, traffic, and nuisances such as vermin and flies: and
- (s) Any means proposed to avoid or mitigate the likely nuisance: and
- (t) Whether the site is suitable for and can physically accommodate proposed waste treatment and disposal methods given the number of animals accommodated and the volume of wastes generated.

Activity status where compliance is not achieved: DLS

Effectiveness and Efficiency

99. The rule and definition are effective in managing the significant effects associated with intensive primary production by setting clear separation distances from sensitive activities and zones. It protects rural amenity, reduces the risk of odour, noise and nuisance and addresses cumulative effects. It is efficient as it enables the activity through a restricted discretionary pathway where key environmental standards are met, while retaining discretion to assess site-specific effects such as layout, visual impact, traffic, and waste management. This provides for both

regulatory certainty and responsiveness to the receiving environment. Note: The Panel has directed consequential amendments to GRUZ-O7, P3.3, P8, P16, GRUZ-NEW and R42 to encompass intensive outdoor primary production (pig farming).

Costs and Benefit Assessment

100. The rule reduces the potential for adverse effects on nearby sensitive activities and seeks to protect rural character. It provides certainty to both applicants and neighbours through defined buffer distances and matters of discretion. While the rule may limit the location of activities on some sites or impose additional compliance requirements, these costs are proportionate to the scale and potential effects of the activity. The default discretionary pathway where standards are not met ensures effects are properly assessed and mitigated. The benefits of the rule outweigh the costs by ensuring that intensive indoor primary production activities can operate appropriately in the general rural zone without compromising amenity and environmental values.

Risk of Acting or Not Acting

101. The risk of acting is low. The rule is based on established knowledge of the effects of intensive farming and includes clear performance standards and matters of discretion. The risk of not acting is high, as it may result in poorly located or managed operations, leading to reverse sensitivity, complaints, environmental harm, and cumulative degradation of rural amenity.

Decision about the most appropriate option

102. The proposed rule is the most appropriate way to achieve the purpose of the RMA **and the plan's objectives**. It balances enabling productive rural land use with protecting rural amenity and environmental health through a managed, effects-based framework. The restricted discretionary status, combined with an accompanying definition, clearly specified assessment matters and a discretionary default status, ensures both flexibility and robust environmental protection.

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 43. Rural Production Zone

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 43 the Rural Production Zone. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9) and Appendices and Schedules (Part 4).
2. The zone provides for scheduled rural industrial activities and regionally significant operations and seeks to balance their functional needs with environmental considerations. The chapter recognises that the majority (but not all) of the sites in the rural production zone are constrained by the location of the natural resource they depend on.

2. Hearing arrangements

3. The hearing was held in person and online **on 16 and 17 July 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**.
4. The following parties submitted on this chapter.

Submission no	Submitter
27	Horticulture New Zealand (Hort NZ)
46	Federated Farmers
49	Taharoa Ironsands Ltd
07	Omya
23	Balance Agri-Nutrients
43	Graymont (New Zealand) Limited
16	Fire and Emergency New Zealand (FENZ)
17	Waka Kotahi
53	Department of Conservation
47	Forest and Bird
29	Aggregate and Quarry Association (AQA)
16	FENZ
24	Ministry of Education (MoE)
02	New Zealand Helicopter Association
09	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited
51	KiwiRail Holdings Ltd
25	The Lines Company
31	Transpower
33	King Country Energy

Submission no	Submitter
39	Firstgas
FS08	Graymont (New Zealand) Limited
FS18	Omya
FS21	Taharoa Ironsands Ltd
FS23	Te Nehenehenui
FS28	Roy Wetini
FS05	Federated Farmers
FS17	NZ Speleological Society
FS19	PF Olsen
FS13	New Zealand Agricultural Aviation Association

3. Section 42A Report and Addendum Report

5. Unless otherwise stated in the Panel decision below, the Panel has elected to adopt the outcomes of the Section 42A Report and further amendments made in the Section 42A Addendum Report on this chapter.

4. Panel decision

6. On 16 July 2024 Benjamin Murray and Terry Calmeyer appeared at the hearing on behalf of Graymont (New Zealand) Ltd. In submission points 43.97 and 43.98 Graymont submitted regarding the identification and differentiation of regionally significant sites in the policy framework.
7. The Panel noted that all parties agreed with the section 42A report recommendation for an amendment to the overview section of the chapter. This was to explain that regionally significant sites comprise regionally significant industries, regionally significant infrastructure and significant mineral resources in line with definitions, policies and methods in both regional policy statements.
8. The Panel further noted that all parties agreed with the section 42A addendum report recommendation to amend the schedule itself to make it clearer which sites are regionally significant (RPROZ-SCHED1 which is contained in the RPROZ zone chapter). This change negates the need for further changes to RPROZ-P1 and P2. The Panel directed that the following amendments be made:

RPROZ-SCHED1 – Scheduled rural production sites

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

.....					
RPROZ-3		Graymont Oparure Quarry	Oparure Road	Lot 2 DPS 77130	Significant mineral resource
.....					
RPROZ-8		Greywacke Quarry	State Highway 30 – Bodley Road	Part Section 13 Block VIII Otanake SD	Not regionally significant

9. Submission point 43.07 requested that RPROZ-SCHED1 was amended to identify **Oparure Quarry and associated Te Kūiti Processing Plant as 'regionally significant industry'**. Mr Murray and Ms Calmeyer provided evidence to the hearing regarding the Te Kūiti Kiln site as 'regionally significant industry'.
10. In the general rural zone decision report, the Panel agreed with Mr Murray and Ms Calmeyer that the Te Kūiti Kiln meets the criteria as regionally significant industry. Accordingly, the Panel directed changes to the industrial zone's overview to recognise this. The Panel considered that the industrial zoning was more appropriate than rural production zoning where the other sites of regional significance are scheduled. However, they agreed with the submitters that this did not preclude identification of the site as follows:

Overview

....In these locations, a higher level of amenity is expected to ensure the potential for reverse sensitivity effects is minimised.

[In line with the provisions of the Waikato Regional Policy Statement, the Graymont Te Kūiti Kiln on Beros Road is recognised as a site of regionally significant industry. This status signals that the industrial activities on the site may have effects on the adjacent natural open space and general rural zones, beyond those which are generally anticipated in those zones.](#)

It is critically important that industrially zoned land

11. This change has the effect of amending Graymont's submission point 43.07 from reject to accept in part, and Te Nehenehenui's further submission FS23.177 from accept to reject.
12. In further submission point FS08.24, Graymont opposed Fire and Emergency New Zealand's submission to retain RPROZ-R26 as notified and considered requiring a consent as a discretionary activity to be overly restrictive. The Panel considered that the approach was not necessarily inconsistent with policy framework, but agreed the activity status should be restricted discretionary. The Panel considered that the matters of discretion could be clearly identified and directed that the following amendment be made as set out below.
13. As Fire and Emergency New Zealand requested the rule be retained as notified, this change has the effect of amending their submission point 16.47 from accept to reject and Graymont's further submission FS08.24 from reject to accept.

[The matters over which discretion is restricted:](#)

[Potable water supply](#)

-
- (a) Infrastructure provision; and
 - (b) Any alternative measures or mitigation measures proposed; and
 - (c) Consideration of alternative locations; and
Stormwater management
 - (d) Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and
 - (e) Effects on adjoining properties and infrastructure, including cumulative effects and the potential for the activity to create, transfer or intensify hazard risks on adjoining sites; and
 - (f) Use of green infrastructure methods for stormwater management; and
Fire fighting water supply
 - (g) Whether fire risk can be managed through appropriate building materials and building design, site layout, setbacks, structural or engineering solutions; and
 - (h) Any mitigation measures to reduce the risk to people's safety, well-being and property; and
Wastewater management
 - (i) The type of by-product or waste proposed to be stored, treated or disposed of and its potential effects; and
 - (j) The location and scale of the storage facility; and
 - (k) The effect on surrounding properties, rural character and amenity; and
 - (l) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and
 - (m) Potential reverse sensitivity effects on any adjoining rural activities.
-

- 14. Mr Grant Eccles and Mr Ian Goodacre appeared at the hearing on behalf of Taharoa Ironsands Limited on 17 July. The Commissioners had visited the site so were familiar with it, the surrounding area, and understood the submission points being raised by Taharoa Ironsands Limited.
- 15. In submission point 49.01 Taharoa requested that rural production zoning be applied to the Te Mania Block which is subject to the indicative area notation.

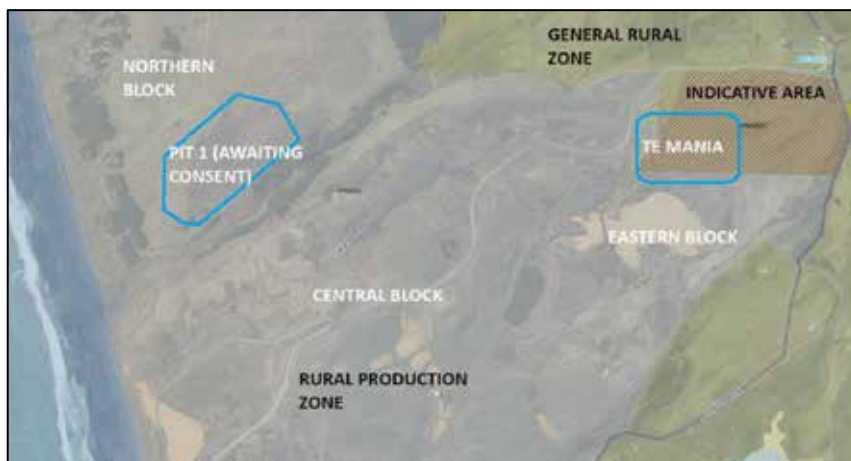


Figure 1: Map showing the notified zoning, Pit 1 and the extent of the Te Mania consented area

- 16. The Panel considered the information and evidence provided at the hearing. In the original submission, the submitter sought to:
 - retain the zoning of the overall Taharoa Ironsands mine site (Taharoa C

Block, Taharoa A7J3B Block, Taharoa A7J4B Block) as rural production zone; and

- rezone the whole Te Mania Block and the Pihopa Block from general rural zone/indicative rural production zone to rural production zone to recognise mining as a consented activity on that site.

Evidence presented ahead of the hearing and at the hearing also sought:

- rezoning of the northern and southern blocks from general rural zone indicative areas to live rural production zones.
- no rezoning of the Pihopa Block from the general rural zone to either a rural production zone or indicative rural production area.

17. The submitter requested that Pihopa no longer to be considered for rezoning; thus restricting the rezoning request to Te Mania (Part Taharoa A7J2 Block).



Figure 2: Map showing the named blocks

18. The Panel accepted that the request to rezone was sought in a submission. However, the Panel found that Taharoa had not provided sufficient information/evidence to support the rezoning. While acknowledging the section 32 assessments provided by Mr Eccles, the Panel considered that it did not have sufficient information to address all the potential effects on any identified features, the potential adverse effects on (for example) the surrounding village and school, affected parties and mana whenua. As such the Panel, noting that the consents do not authorise mining on the entire block and are geographically limited to an area in the southwest corner, do not agree to rezoning the Te Mania block as rural production.
19. The Panel reviewed the section 42A report and its addendum and Mr Eccles **evidence. It was the Panel's view that there was insufficient information/evidence** to support rezoning the Te Mania block from general rural to rural production zone. The Panel considered that a fuller environmental impact assessment of the implications of rezoning the entire block and the potential impact of this (i.e. consideration of the effects of mining sand in this area) should be undertaken before any rezoning takes place.
20. The Panel was also particularly concerned about ensuring that all potentially affected parties had the ability to fully consider the implications of the rezoning regardless of the resource consent over the southwestern corner of the block.
21. Overall, the Panel was of the view that a plan change process was the more appropriate if the submitter wanted to rezone that land; and that a full

environmental assessment and section 32 evaluation would need to be undertaken prior to any rezoning request.

22. The Panel also considered submissions from Roy Wetini and Teina Malone who appeared at the hearing on 16 July for the Wetini whanau and Te Ruunanga o Ngaati Mahuta ki te Hauaaauru. The Panel noted the particular concerns raised in regard to the environmental and cultural impacts of sand mining in the wider area.
23. The Panel also noted Mr Wetini **and Ms Malone's concerns about the impact of GRUZ-R42** which requires the minimum setback for a building housing a residential activity from the boundary of a rural production zone to be 250 m. If this cannot be achieved a restricted discretionary resource consent is required with matters of discretion relating to:
 - The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
 - Potential reverse sensitivity effects.
 - Site topography and orientation and whether the structure can be more appropriately located or designed to minimise potential reverse sensitivity effects.
 - The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.
24. The Panel considered **Mr Wetini and Ms Malone's evidence in respect of** removing the indicative area notations, particularly from the Te Mania and Pihopa blocks and removing rural production zoning from all allotments with the exception of Taharoa C Block. The Panel considered a number of options including removing or pulling back the indicative area.
25. The Panel concluded that there was no scope to change either the indicative area or the zoning as the submission from the submission lodged by Wetini whanau and Te Ruunanga o Ngaati Mahuta ki te Hauaaauru. Schedule 1 clause 8 of the RMA specifies that further submissions must be limited to a matter in support of or in opposition to the relevant original submission. Essentially, a further submission cannot go further than supporting or opposing a submission point. **As such, the Wetini's submission point FS28.01 is accepted-in-part**, as the Panel does not agree to rezone the Te Mania block to a rural production zone.
26. In submission point 49.01 Taharoa requested policy support be provided for the Indicative Area notations which recognises the appropriateness of the land within the indicative rural production area for future mining activities. The Panel agreed with the reasoning in the section 42A report - that in the context of indicative areas no regard is had to it when a resource consent application is made within these areas for regionally significant purposes (i.e. sand mining). The context is to ensure that sensitive activities which might limit the expansion of these significant mineral resources over the lifetime of this plan are managed at the earliest possible stage.
27. **The Panel did not agree with Taharoa's proposed amendment to RPROZ-P1 to "avoid" rather than** limit the establishment or growth of noise sensitive activities on surrounding sites. The Panel considered that this placed an unreasonable burden on neighbouring properties already subject to rules in both the subdivision chapter and general rural zone to manage the potential for reverse sensitivity effects to arise.
28. The Panel did not agree to remove the matter of discretion from RPROZ – Table 2 which requires consideration of the extent of the activity and the ability to

internalise adverse effects. The Panel considered that the matter of discretion in RPROZ-R20 and R22(d) and R23 and R24(c) is a cornerstone element of the management of RPROZ sites. They agreed with the section 42A addendum report that it may be that some effects cannot be internalised, however this matter of discretion enables consideration of that extent.

29. In submission point 49.04 Taharoa requested RPROZ-P4.6 be amended so the requirement is where quarrying activities occur, those sites **are rehabilitated 'as far as practicable'**. The Panel agreed with Taharoa's proposed amendment to RPROZ-P4.6, considering that mineral extraction sites can only be rehabilitated as far as practicable, and that consent conditions will ensure that each site must undertake remedial measures as appropriate and necessary to that location. The Panel directed the following change in green:

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

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

30. The Panel agreed to provide for the ability to waive the minimum setback from internal site boundaries for deposition of overburden material or for extraction and deposition of aggregates where it applied to any common boundary in the same land holding or where the written agreement of the relevant landowner is obtained. This requires an amendment to RPROZ-R20.9. The Panel adopts the applicable elements of the section 32AA evaluation contained in the Statement of Evidence of Grant Eccles for Taharoa Ironsands Limited Planning – Rural Production Zone Dated 21 June 2024. The Panel directed the following change in green:

9. The minimum setback from internal site boundaries for deposition of overburden material or for extraction and deposition of aggregates must be 30 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater provided that this rule shall not apply to any common boundary with an adjoining site which is in the same holding or where the written agreement of the relevant landowner to a lesser setback is obtained and provided to Council prior to the works commencing.

31. The Panel also agreed to waive the requirement to landscape road boundaries at the Taharoa Ironsands site under RPROZ-R24. RPROZ-R24 which requires that all buildings, carparking areas or yard areas that are visible from an adjoining road boundary, or a public space, must be screened from view by planting. The Panel agreed that this provision is impractical at this location and should not be applied at the Taharoa site. The Panel adopts the applicable elements of the section 32AA evaluation contained in the Statement of Evidence of Grant Eccles for Taharoa Ironsands Limited Planning – Rural Production Zone Dated 21 June 2024. The Panel directed the following change in green:

RPROZ-R24.	Landscaping – <u>road</u> boundaries
<ol style="list-style-type: none"> 1. All buildings, carparking areas or yard areas that are visible from an adjoining road boundary, or a public space must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2 m and, with the exception of vehicle crossing, be a minimum width of 2 m from the road boundary. <u>and</u> 2. <u>This rule does not apply to RPROZ-1.</u> 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity, building or structure; and (b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment and adjacent road; and (c) The extent of the activity and the ability to internalise adverse effects; and (d) The extent to which off-site effects including noise will inhibit the use of surrounding land; and (e) The extent to which the siting and external appearance of buildings, structures or activities sit within the receiving environment; and (f) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.

32. On 16 July 2024 Jim Burnett appeared on behalf of Omya New Zealand Limited. The Panel acknowledged **Omya's support for the amended provisions** and particularly the changes in relation to the rezoning of Ngapenga Quarry and Rorisons Quarry.
33. Having considered the submissions and evidence presented, the Panel acknowledges the function of the rural production zone in providing for scheduled rural industrial activities that are important **to the district's economic and social well-being**. The Panel agrees that the chapter appropriately distinguishes these activities from those in the general rural zone due to their larger operational scale and potential to generate adverse effects beyond those anticipated in the general rural zone.

34. The Panel agreed with the purpose of the chapter to appropriately manage effects associated with scheduled rural production activities and found that:
- RPROZ-SCHED1 appropriately identifies site-specific provisions for key rural activities, including their primary purpose and significance.
 - The provisions reflect the need to locate certain activities close to natural resources while managing associated effects.
The approach to identifying significant mineral resources and their indicative expansion areas is consistent with the Waikato Regional Policy Statement.
 - Requiring a plan change to activate indicative quarry expansion areas ensures robust assessment and public input without pre-empting future decisions.
35. Otherwise, unless stated in the Panel decision above, the Panel has elected to adopt the recommendations in the Section 42A Report and the Section 42A Addendum Report on this chapter.

5. Conclusion

36. The Panel accepts the recommendations in the section 42A reports and where noted above, 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.
37. Overall, the Panel is satisfied that the provisions of this chapter, as amended, enables the ongoing operation of key rural activities and provides a clear framework for managing current and potential future effects.
38. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel



Greg Hill, Chair

Dated: 19 June 2025

6. Appendix 1 – Submission Table

Rural Production Zone – Submission Points

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
27.80	Horticulture New Zealand (Hort NZ)	Oppose	RPROZ	Amend the Rural production zone to be a precinct in the General rural zone as it does not fit the description of the National Planning Standards.	Reject
FS08.04	Graymont (New Zealand) Limited	Oppose in part		Disallow	Accept
FS18.06	Omya	Neutral		No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point.	Accept
FS21.12	Taharoa Ironsands Ltd	Oppose		Retain the RPROZ as a stand-alone zone.	Accept
46.108	Federated Farmers	Support	Entire chapter	Retain chapter 43 Rural Production Zone as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
49.03	Taharoa Ironsands Ltd	Support with amendment	RPROZ-O1-O6	TIL seeks the following relief: (i) Retain Objectives RPROZ-O1, RPROZ-O3, RPROZ-O4 and RPROZ-O6; and (ii) Amend clause 2 of Objective RPROZ-O2 so that it reads: "2. Managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u>". (iii) Amend Objective RPROZ-O5 so that it reads: "Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment as far as practicable" . Any alternative and/or consequential amendments to the same effect as the primary relief sought above.	Accept in part
07.04	Omya	Support	RPROZ-O1-RPROPZ-O6	Omya seeks that the specified objectives are retained as notified.	Reject
FS21.02	Taharoa Ironsands	Support in part		(i) Retain Objectives RPROZ-O1, RPROZ-O3, RPROZ-O4	Accept in part

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
	Ltd			<p>and RPROZ-O6; and</p> <p>(ii) Amend clause 2 of Objective RPROZ-O2 so that it reads: "2. Managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u>".</p> <p>(iii) Amend Objective RPROZ-O5 so that it reads: "Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment <u>as far as practicable</u>".</p> <p>Any alternative and/or consequential relief sought above</p>	
FS23.20	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept in part
23.20	Balance Agri-Nutrients	Support	RPROZ-O1	Retain as notified.	Accept
FS21.11	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O1 Any alternative and/or consequential relief sought above.	Accept
43.93	Graymont (New Zealand) Limited	Support	RPROZ-O1	Retain as notified.	Accept
FS21.17	Taharoa Ironsands Ltd	Support		Retain as notified.	Accept
43.94	Graymont (New Zealand) Limited	Support with amendment	RPROZ-O2	<p>Retain RPROZ-O2 as notified.</p> <p>And</p> <p>Amend proposed District Plan to also specifically recognise and provide for significant mineral resources (as identified in SCHED1 – Scheduled rural production sites) in addition to providing for a recognising regionally significant industry (as highlighted in the relief to specific provisions throughout the submission).</p>	Accept in part
FS21.18	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O2	
FS23.207	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and	

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	
43.95	Graymont (New Zealand) Limited	Support	RPROZ-O3	Retain as notified.	Accept
FS21.19	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O3	Accept
43.96	Graymont (NZ) Limited	Support	RPROZ-O4	Retain as notified.	Accept
FS21.20	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O4	Accept
16.43	Fire and Emergency New Zealand (FENZ)	Support	RPROZ-O6	Retain as notified.	Reject
17.126	Waka Kotahi	Support in part	RPROZ-O6	<p>Amend RPROZ-O6 as follows:</p> <p>Ensure new development <u>does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure.</u></p>	Accept
43.97	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P1	<p>Amend RPROZ-P1 as follows:</p> <p>Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ- SCHED1 – Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.</p>	Reject
FS21.21	Taharoa Ironsands Ltd	Support		<p>i. Retain the relief sought by Graymont</p> <p>ii. In the alternative, alter all references to “significant mineral resource” to read “regionally significant mineral resource”</p>	Reject

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

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>RPROZ-P1 and retain as notified by WDC.</p> <p>(iii) Disallow relief sought by TIL which seeks to add in the words "as far as practicable to" clause 6 of Policy RPROZ-P4 and retain as notified by WDC.</p> <p>(iv) Disallow relief sought by TIL and retain Policy RPROZP6 as notified.</p>	
07.05	Omya	Support	RPROZ-P1, RPROZ-P4 to RPROZ-P8	Omya seeks that the specified policies are retained as notified.	Reject
FS21.03	Taharoa Ironsands Ltd	Support in part		<p>i. Retain Policies RPROZ-P5 and RPROZ-P7</p> <p>ii. Amend Policy RPROZ-P1 so that it reads: "Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZSCHED1 – Scheduled rural production sites, by avoiding limiting the establishment or growth of noise sensitive activities on surrounding sites".</p> <p>iii. Amend clause 6 of Policy RPROZP4 so that it reads: "6. Requiring sites where quarrying activities occur to be rehabilitated <u>as far as practicable</u> and ensuring appropriate materials are used for this purpose".</p> <p>iv. Amend clause 2 of Policy RPROZP6 so that it reads: "2. <u>With the exception of the Taharoa ironsands mine,</u> ensuring that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours".</p> <p>v. Amend Policy RPROZ-P8 so that it reads: "Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites"</u>.</p> <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	See response to submission point 49.04
53.69	Department of Conservation	Oppose	RRPOZ-P2	<p>Delete RPROZ-P2 or relief to like effect:</p> <p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>the indigenous biodiversity values and ecological characteristics of the significant natural area by:</p> <p>1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and</p> <p>Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located.</p>	
FS05.148	Federated Farmers	Oppose		Decline the relief sought	Accept
43.98	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P2	<p>Amend RPROZ-P2 as follows:</p> <p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, <u>or as a significant mineral resource</u>, the ensuing operations must remedy or mitigate adverse effects ...</p>	Accept in part
FS21.22	Taharoa Ironsands Ltd	Support		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ul style="list-style-type: none"> Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. Any alternative and/or consequential amendments to the same effect as the primary relief sought above. 	See response to submission point 49.04
47.177	Forest and Bird	Oppose	ROROZ-P2	<p>Delete RPROZ-P2</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS05.124	Federated Farmers	Oppose		Decline the relief sought	Accept

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

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
	Zealand) Limited	amendment		4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and	
FS21.24	Taharoa Ironsands Ltd	Support in part		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <p>4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and</p> Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	See response to submission point 49.04
FS23.208	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Reject
17.127	Waka Kotahi	Support in part	RPROZ-P5	<p>Amend RPROZ-P5 as follows:</p> <p>To maintain the safe and efficient functioning of <u>the transport network</u> adjoining roads, activities must:</p> <p>Ensure the scale and location of any expansion is consistent with the capacity, design and function of the roading hierarchy or is able to offset adverse effects on the roading <u>transport network</u>; and</p> <p>Ensure traffic generated by the activity does not compromise road <u>the</u> safety or efficiency <u>of the transport network</u>; and</p>	Accept
29.09	AQA	Support	RPROZ-P7	Retain as notified.	Accept
FS21.14	Taharoa Ironsands	Support		Retain Policy RPROZ-P7	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
	Ltd			Any alternative and/or consequential amendments to the same effect as the primary relief sought above	
43.101	Graymont (New Zealand) Limited	Support	RPROZ-P7	Retain RPROZ-P7 as notified.	Accept
FS21.25	Taharoa Ironsands Ltd	Support		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ul style="list-style-type: none"> 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. Any alternative and/or consequential amendments to the same effect as the primary relief sought above. 	See response to submission point 49.04
43.102	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P8	<p>Amend RPROZ-P8 as follows:</p> <p>Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>in those areas surrounding RPROZ-SCHED1 – Scheduled rural production sites.</u></p>	Accept
FS21.26	Taharoa Ironsands Ltd	Support in part		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ul style="list-style-type: none"> 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. Any alternative and/or consequential amendments to the same effect as the primary relief sought above. 	See response to submission point 49.04
16.44	FENZ	Support in part	RPROZ-P10	<p>Amend as follows:</p> <p>RPROZ-P10. Where reticulated water, wastewater and</p>	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated <u>water</u> , wastewater and stormwater methods.	
07.06	Omya	Support	RPROZ-R1	Retain as notified.	Accept
FS21.04	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2	Accept
07.06	Omya	Support	RPROZ-R1	Retain as notified.	Accept
FS21.04	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2	Accept
49.05	Taharoa Ironsands Ltd	Support with amendment	RPROZ R1-R13	<p>TIL seeks the following relief:</p> <p>(i) Retain Rules RPROZ-R1 to RPROZ-R6 and RPROZ-R8 to RPROZ-R13; and</p> <p>(ii) Amend Rule RPROZ-R7 so that it reads: <u>"One or more residential unit(s) providing residential accommodation per each individual zone for security or key operational staff or caretakers"</u>.</p> <p>(iii) Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.</p> <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	<p>Accept - RPROZ-R1 to RPROZ-R6 and RPROZ-R8 to RPROZ-R13 retain as notified.</p> <p>Accept in part amendment to RPROZ-R7</p> <p>Accept in part amend RPROZ-R20 to RPROZ-R27 (RPROZ-R25 amended)</p>
FS28.03	Roy Wetini	Not stated		<p>49.07(iii) We oppose the relief sought by TIL to remove or amend RPROZ-R20 to RPROZ R27 and request that these performance standards are retained as notified in the Proposed Waitomo District Plan.</p> <p>**suspect error in the submission reference at the start**</p>	Reject (RPROZ-R25 amended)
16.45	FENZ	Support	RPROZ - Table Activities Rules RPROZ-R2	Retain as notified.	Accept
43.103	Graymont (New Zealand) Limited	Support	RPROZ-R12	Retain RPROZ-R12 as notified.	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS21.27	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2 **suspect error in further submission as the primary submission is about different rules**	Accept
07.07	Omya	Support in part / amend	RPROZ-R12- RPROPZ- R13	Omya seeks amendment to include the Ngapenga Quarry Schedule 1 reference in rules RPROZ-12 and RPROZ-13 so that rules that apply to quarrying activities and mineral prospecting apply to this site.	Reject
FS23.21	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
43.104	Graymont (New Zealand) Limited	Support	RPROZ-R13	Retain RPROZ-R13 as notified.	Accept
FS21.28	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2 **suspect error in further submission as the primary submission is about different rules**	Accept
07.08	Omya	Support in part/amend	RPROZ-R14	Omya seeks amendment to include the Rorisons Aglime Processing Plant Schedule 1 reference in Rule RPROZ-R14 so that the rules that apply to mineral processing etc. apply to this site.	Reject
FS23.22	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
07.09	Omya	Support in part/amend	RPROZ-R20	Omya seeks clarification that existing buildings are exempt from these rules. This could be achieved by an additional note at the end of RPROZ-R20 stating the following: <u>"Note: Buildings existing prior to the decisions version of this District Plan are exempt from this rule"</u>	Reject
FS21.05	Taharoa Ironsands Ltd	Support in part		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa Ironsands mine	See response to submission point 49.05
FS23.23	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN	Accept

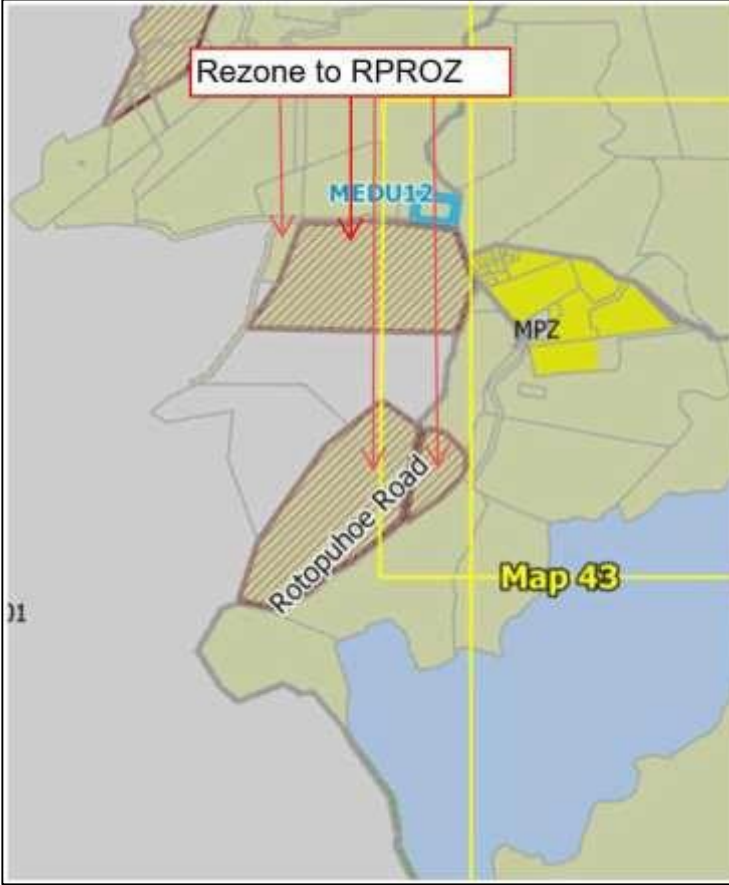
Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				support	
16.46	FENZ	Oppose	RPROZ-R20	Add as follows: <u>12. Provided emergency service facilities are exempt from this rule.</u>	Accept
07.10	Omya	Support	RPROZ-R21	Omya seeks that the specified rule is retained as notified.	Accept
FS21.06	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject
07.11	Omya	Support	RPROZ-R22	Omya seeks that the specified rule is retained as notified.	Accept
FS21.07	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject
07.12	Omya	Oppose	RPROZ-R25	Omya requests that this rule excludes Mineral Processing Plants and Quarries. Alternatively, overburden associated with mineral processing plants and quarries should be excluded from the definition of outdoor storage (in Part 1 – Interpretation – 9. Definitions chapter of the Proposed District Plan).	Accept
FS08.05	Graymont (New Zealand) Limited	Support		Allowed	Accept
FS21.08	Taharoa Ironsands Ltd	Support		Exclude Mineral Processing Plants and Quarrying from the rule, and the or exclude such activity from the definition of outdoor storage in the definitions chapter.	Accept
FS23.24	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Reject
07.13	Omya	Support	RPROZ-R26	Omya seeks that the specified rule is retained as notified.	Accept
FS21.09	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS23.25	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Reject
16.47	FENZ	Support	RPROZ-R26	Retain as notified.	Reject
FS08.24	Graymont (New Zealand) Limited	Oppose in part		Disallow	Accept
24.47	Ministry of Education (MoE)	Amend	NEW OBJECTIVE	<p>Add a new objective to the Rural production zone as follows:</p> <p><u>RPROZ-OX</u></p> <p><u>Provide for additional infrastructure within the Rural Production Zone.</u> And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject
24.48	MoE	Amend	NEW POLICY	<p>Add the following new policy to the Rural production zone:</p> <p><u>RPROZ – PX</u></p> <p><u>Provide for educational facilities as needed to support rural communities.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject
24.49	MoE	Amend	NEW RULE	<p>Add the following new rule to the Rural production zone: <u>RPROZ-RXX</u></p> <p><u>Educational facilities</u></p> <p><u>Activity status: RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p>a. <u>The effect on surrounding properties, rural character and amenity; and</u></p> <p>b. <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u></p> <p>c. <u>The effects associated with layout, design and location of the activity, including operating hours; and</u></p> <p>d. <u>Parking, manoeuvring and access; safety and efficiency.</u></p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p><u>including the provision of sufficient off-street parking and the effects of traffic generation: and</u></p> <p>e. <u>Provision of on-site infrastructure: and</u></p> <p>f. <u>Potential reverse sensitivity effects on any adjoining rural activities.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	
07.14	Omya	Support in part/Amend	RPROZ-SCHED1	<p>Omya seeks the following amendments to RPROZ-SCHED1:</p> <p>(a) Omya supports the listing of Symonds Quarry (RPROZ-7) and Omya Mineral Processing Plant (RPROZ-10) within Schedule 1 of the RPROZ chapter, and their classification as regionally significant.</p> <p>(b) Omya seeks amendments to RPROZ Schedule 1 to include Ngapenga Quarry as a scheduled site for the purpose of limestone quarrying as an insertion after RPROZ-9.</p> <p>The details sought to be included are listed as follows:</p> <p><u>Unique identifier:</u> To be confirmed by Council</p> <p><u>Site Name:</u> Ngapenga Quarry Omya New Zealand Limited</p> <p><u>Location:</u> Tawarau Road/Were Road</p> <p><u>Legal Description:</u> Part Section 1 Block III Maungamangero SD, Section 10 Block III Maungamangero SD.</p> <p><u>Site type:</u> Significant Mineral Resource</p> <p>(c) Omya seeks amendments to the listed location and legal description of scheduled site RPROZ-4.</p> <p>The details proposed to be amended are included as follows:</p> <p><u>Location:</u> Kaitaringa Road / Aria Road</p> <p><u>Legal Description:</u> Aorangi 3B Block, Aorangi 3D1 Block, Lot 2 DPS 17671 and Part Karuotewhenua B5A Block.</p> <p>Omya seeks amendments to RPROZ Schedule 1 to ensure that the Rorisons Aglime Processing Plant is</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>specifically identified in addition to existing RPROZ-4 Rorisons Riverside Wairere Lime Quarry. These activities operate in conjunction with each other on the same site. There are two options proposed as follows:</p> <p>1. Add a new scheduled site under the "Primary</p> <p>Purpose – Mineral Processing" section of Schedule 1 (with the same legal description and location as the existing RPROZ-4). Wording proposed as follows –</p> <p><u>Unique identifier:</u> To be confirmed by Council</p> <p><u>Site Name:</u> Rorisons Aglime Processing Plant</p> <p><u>Location:</u> Aria Road/Kaitaringa Road</p> <p><u>Legal Description:</u> Lot 2 DPS 17671, Aorangi 3D1 Block, Aorangi 3B Block, Part Karuotewhenua B5A Block</p> <p>Site type: Regionally Significant Industry Or</p> <p>2. Alternatively to 'b' above, Council could combine the Aglime Processing Plant with existing Schedule 1 site RPROZ-4 'Rorisons Riverside Wairere Lime Quarry'. If this option is opted for, RPROZ-4 will need to be listed against Rule RPROZ-14 in addition to RPROZ-12 and RPROZ-13 in the RPROZ chapter. Changes to the Schedule 1 description of RPROZ 4 will also be required. See wording as follows:</p> <p><u>Unique identifier:</u> RPROZ-4</p> <p><u>Site Name:</u> Rorisons Riverside Wairere Lime Quarry and Aglime Processing Plant</p> <p><u>Location:</u> Aria Road/Kaitaringa Road</p> <p><u>Legal Description:</u> Lot 2 DPS 17671, Aorangi 3D1 Block, Aorangi 3B Block, Part Karuotewhenua B5A Block</p> <p><u>Site type:</u> Significant mineral resource and regionally significant Industry</p>	

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS23.26	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
29.10	AQA	Support	RPROZ-SCHED1 RPROZ 1-9	Retain RPROZ-SCHED1 and RPROZ 1-9 as notified.	Accept
FS21.15	Taharoa Ironsands Ltd	Support in part		Retain RPROZ-SCHED1 RPROZ 1-9 subject to the amendments to the legal descriptions applicable to the Taharoa Ironsands Mine as set out in the original TIL submission.	Reject
43.07	Graymont (New Zealand) Limited	Support with amendment	RPROZ-SCHED1	Amend RPROZ-SCHED1 to identify Oparure Quarry and associated Te Kuiti Processing Plant as ' regionally significant industry'.	Accept in part
FS23.177	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Reject
49.01	Taharoa Ironsands Limited (TIL)	Support with amendment	Maps	<p>TIL seeks the following relief in terms of zoning:</p> <ul style="list-style-type: none"> (i) Retain the zoning of the overall Taharoa Ironsands mine site (Taharoa C Block, Taharoa A7J3B Block, Taharoa A7J4B Block) as Rural Production Zone; and (ii) Rezone the Te Mania Block and the Pihopa Block from General Rural Zone/Indicative Rural Production Zone to Rural Production Zone ("RPROZ") on Planning Map 1 as shown below. 	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation																		
				 <p>Amend RPROZ-SCHED1 – Scheduled rural production sites as follows (additions underlined, deletions struckthrough) to include the Te Mania Block and the Pihopa Block:</p> <table border="1"> <thead> <tr> <th>Unique Identifier</th><th>Map Ref</th><th>Site Name</th><th>Location</th><th>Legal Description</th><th>Site Type</th></tr> </thead> <tbody> <tr> <td colspan="6">Primary Purpose – Quarrying Activities</td></tr> <tr> <td>RPROZ-1</td><td></td><td>Taharoa Ironsands Limited</td><td>Taharoa Road</td><td>Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block</td><td>Significant Mineral Resource</td></tr> </tbody> </table>	Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type	Primary Purpose – Quarrying Activities						RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource	
Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type																		
Primary Purpose – Quarrying Activities																							
RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource																		

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation																		
				<p>(iv) Without derogating from relief (ii) above, retain the extent of the Indicative Rural Production Zone notations shown on Planning Map 1 and provide policy support for those Indicative notations to at minimum recognise the appropriateness of the land within the Indicative Rural Production Zone for future mining activities.</p> <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>																			
FS28.01	Roy Wetini	Oppose		<p>(i) Disallow retention of the extent of the Indicative Rural Production Zone notations shown on Planning Map 1 as notified by WDC.</p> <p>Amend the Rural Production Zone map and RPOZ-SCHED1- to remove all allotments with the exception of Taharoa C Block as follows:</p> <table border="1"> <thead> <tr> <th>Unique Identifier</th><th>Map Ref</th><th>Site Name</th><th>Location</th><th>Legal Description</th><th>Site Type</th></tr> </thead> <tbody> <tr> <td colspan="6">Quarrying Activities</td></tr> <tr> <td>RPROZ-1</td><td></td><td>Taharoa Ironsands Limited</td><td>Taharoa Road</td><td>Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block</td><td>Significant Mineral Resource</td></tr> </tbody> </table> <p>(ii) Disallow the relief sought in the original submission by TIL to rezone the Te Manaia Block and Pihopa Block from General Rural Zone to Rural Production Zone on Planning Map 1.</p> <p>(iii) Disallow the relief sought by TIL to amend RPROZ-SCHED1- to include Part Taharoa A7J2 Block and Taharoa A7J8 C Block.</p> <p>(iv) Remove all Indicative Rural Production Zone notations shown on Planning Map 1 of the Proposed Waitomo District Plan.</p>	Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type	Quarrying Activities						RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource	Accept in part
Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type																		
Quarrying Activities																							
RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource																		
46.11	Federated Farmers	Support with amendment	Regionally significant industry	<p>Amend the definition of 'regionally significant industry' to ensure that primary production is given regionally significant industry status through:</p> <ul style="list-style-type: none"> the inclusion of primary production in the definition of 	Reject																		

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>regionally significant industries; or</p> <ul style="list-style-type: none"> the recognition of primary production as a regionally significant industry in the definition of primary production; or the recognition of primary production as a regionally significant industry elsewhere in the plan <p>And</p> <p>any consequential amendments required as a result of the relief sought.</p>	
FS19.159	PF Olsen	Support		Allow submission point	Reject
02.07	New Zealand Helicopter Association	Support	Regionally significant infrastructure	Retain as notified.	Accept
FS13.07	New Zealand Agricultural Aviation Association	Support		Add the definition as sought	Accept
09.01	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited, and Vodafone New Zealand Limited	Support	Regionally significant infrastructure	Retain as notified.	Accept
17.12	Waka Kotahi	Support in part	Regionally significant infrastructure	<p>Amend definition:</p> <p>Means:</p> <p>...</p> <p>(g) significant transport corridors as defined in Map 6.1-25 and 6.1A-26 of the Operative Waikato Regional Policy Statement;</p>	Accept
51.09	KiwiRail Holdings Ltd	Seek amendment	Regionally significant infrastructure	Amend to update current reference to RPS maps showing regionally significant infrastructure.	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
25.08	The Lines Company	Support	Regionally significant infrastructure	Retain as notified.	Accept
31.11	Transpower	Support	Regionally significant infrastructure	Retain the definition of 'Regionally significant infrastructure' and capitalise the first letter of each term as follows: Regionally Significant Infrastructure (RSI). And Any consequential amendments.	Reject
33.03	King Country Energy	Support	Regionally significant infrastructure	Retain as notified.	Accept
39.05	Firstgas	Amend	Regionally Significant Infrastructure	Amend the definition of 'Regionally Significant Infrastructure' as follows: Regionally Significant Infrastructure: means regionally significant infrastructure including: (a) Pipelines for the distribution of natural or manufactured gas or petroleum (b) <u>The Gas Transmission Network</u> (c) Radio apparatus Or Similar relief to achieve this submission – that any associated above or below-ground fitting, appurtenance, fixture, or equipment required for the conveyance of the product or material in the pipeline and/or for its safe, efficient or effective operations is included in the definition.	Reject

7. Appendix 2 – Decisions Version of the Chapter

Rural Production Zone | Te Rohe Ahuwhenua ki Taiwhenua

Overview

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

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

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

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

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

Objectives

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

RPROZ-O1. This zone provides for and recognises both the economic and social benefits afforded by the scheduled rural production sites and their unique operational requirements.

RPROZ-O2. Recognise and provide for the ability of the sites identified as regionally significant in RPROZ-SCHED1 – Scheduled rural production sites, to continue to operate, grow and develop and to be maintained and upgraded by:

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

- RPROZ-O3. Ensure the adverse effects of the scheduled rural production sites are internalised, or avoided, remedied or mitigated as far as practicable.
- RPROZ-O4. Provide for the primary purpose of any scheduled activity in the rural production zone including opportunities for their growth and expansion to meet future demands, while managing the adverse effects on the environment.
- RPROZ-O5. Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment as far as practicable.
- RPROZ-O6. Ensure new development or re-development does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

Policies

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

- RPROZ-P1. Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ-SCHED1 – Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.
- RPROZ-P2. Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:
1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and
 2. Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located.
- RPROZ-P3. Where the location of an existing quarrying activity of significant mineral resources coincides with the karst overlay in whole or part, adverse effects on the geomorphological or hydrological characteristics of the karst system should be remedied or mitigated in that order in the first instance, or if this is not possible, offset adverse effects.
- RPROZ-P4. Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:
1. Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and

2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Ensuring that effects associated with glare, odour and particulates are appropriately managed; and
4. Avoiding remedying or mitigating adverse effects on water bodies; and
5. Undertaking remedial measures during operations as appropriate; and
6. Requiring sites where quarrying activities occur to be rehabilitated as far as practicable and ensuring appropriate materials are used for this purpose.

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

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

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

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

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

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

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

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

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

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

RPROZ-P12. Ensure the flightpath height restrictions shown on the planning maps are complied with to enable the safe operation of **the Te Kūiti Aerodrome**.

Rules

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

- RPROZ - Table 1 - Activities rules; and
- RPROZ - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters.

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

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

RPROZ - Table 1 – Activities Rules

RPROZ-R1.	Warehouses , cool stores and covered storage areas for the storage of products produced on site – where these are ancillary to the primary purpose of any scheduled activity
RPROZ-R2.	Offices, canteens, ablution facilities, medical rooms, recreational facilities, vehicle servicing depots, emergency service facilities and workshops ancillary to the primary purpose of any scheduled activity
RPROZ-R3.	Laboratories and research facilities ancillary to the primary purpose of any scheduled activity
RPROZ-R4.	Demolition and/or removal of buildings
RPROZ-R5.	Tanks, silos and stormwater ponds
RPROZ-R6.	Agricultural, pastoral and horticultural activities including stock underpasses, stockholding areas, loading facilities and pens
RPROZ-R7.	One residential unit providing residential accommodation per each individual zone for security staff or caretakers.
RPROZ-R8.	Vehicle parking and vehicle storage ancillary to the primary purpose of any scheduled activity

RPROZ-R9.	Helipads and facilities for their servicing and management ancillary to the primary purpose of any scheduled activity	
RPROZ-R10.	Temporary overhead electrical and telecommunication lines subject to Council being formally notified of the route, voltage/type of the electrical or telecommunications link and the date by which it will be removed.	
RPROZ-R11.	Accessory buildings ancillary to any permitted activity	
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> 1. All of the performance standards in RPROZ - Table 2 are complied with; and 2. Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter. <p><i>Note: For the avoidance of doubt RPROZ-R1 to RPROZ-R11 apply to all sites identified in RPROZ-SCHED 1, with the exception of RPROZ-R7 which does not apply to the Taharoa Ironsands Mine (RPROZ-1).</i></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 RPROZ - Table 2.</p> <p>Activity status where compliance is not achieved with RPROZ-S8: NC</p>
RPROZ-R12.	RPROZ-1 to RPROZ-9: Mineral prospecting and exploration	
RPROZ-R13.	RPROZ-1 to RPROZ-9: Quarrying activities	
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> 1. This rule only applies to sites RPROZ-1 to RPROZ-9 as listed in RPROZ-SCHED1; and 2. All of the performance standards in RPROZ - Table 2 are complied with. <p><i>Note: The provisions of the earthworks chapter do not apply to quarrying activities.</i></p>		<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2.</p>
RPROZ-R14.	RPROZ-10 to RPROZ-11: Mineral processing including product packaging, storage and distribution activities and storage of products, by-products and waste materials processed on site	
RPROZ-R15.	RPROZ-12 to RPROZ-13: Meat processing including product packaging, storage and distribution activities and storage of products, by-products and waste materials processed on site	
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> 1. This rule only applies to sites RPROZ-10 to RPROZ-13 as listed in RPROZ-SCHED1; and 2. All of the performance standards in RPROZ - Table 2 are complied with. 		<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2.</p>

RPROZ-R16.	RPROZ-14 to RPROZ-17: Hydro-electric Power Generation
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Except for RPROZ-R17.4, refer to the Energy chapter.

RPROZ-R17.	High trip generating activities
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While all activities in this zone must comply with the provisions in the transport chapter, for clarity, the following applies in respect of Integrated Transport Assessments:

1. All activities in the zone must comply with the provisions of TRAN-R8; and
2. For the purposes of TRAN - Table 3, RPROZ-1 to RPROZ-9 must **be assessed as "Primary production – mining and quarrying activities"; and**
3. For the purposes of TRAN - Table 3, RPROZ-10 to RPROZ-13 must **be assessed as "Industrial activities"; and**
4. For the purposes of TRAN - Table 3, RPROZ-14 to RPROZ-17 must **be assessed as "Rural-based industry".**

RPROZ-R18.	Activities not otherwise listed in RPROZ - Table 1
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Activity status: DIS

Activity status where compliance is not achieved: N/A

RPROZ-R19.	Non- compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps
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Activity status: PR

Activity status where compliance is not achieved: N/A

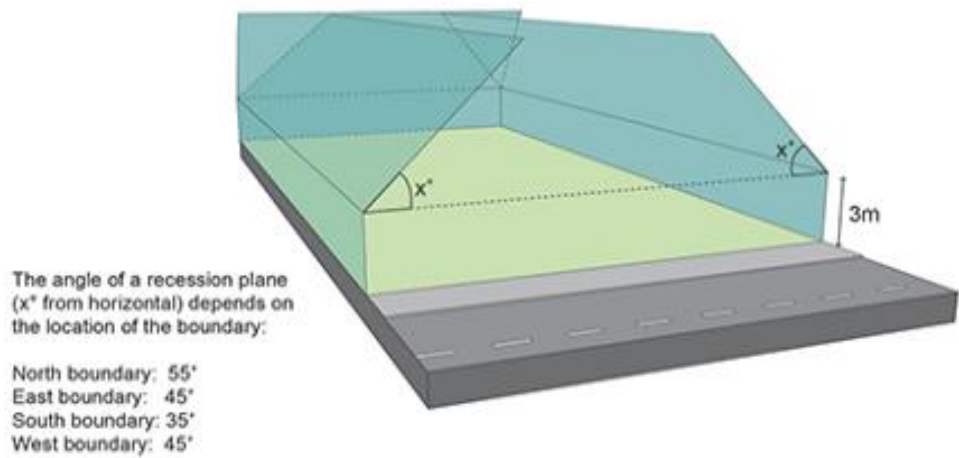
RPROZ – Table 2 – Performance Standards

RPROZ-S1.	Minimum setback from boundaries
<ol style="list-style-type: none"> 1. From road boundaries: 2. The minimum setback for buildings or structures greater than 10 m high on all roads – 60 m; and 3. The minimum setback from a district road boundary for all other buildings or structures – 15 m; and 4. The minimum setback from a designated State Highway boundary for all other buildings or structures – 30 m; and 5. The minimum setback from any road boundary for deposition of overburden material or for extraction and deposition of aggregates – 30 m; AND 6. From internal site boundaries: 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the landscaping, fencing or screening is able to soften the visual impact of the proposed building, structure or activity; and (b) The overall landscaping provided on-site; and (c) The extent to which the siting and external appearance of buildings, structures or activities sit within the receiving environment; and (d) The extent of the activity and the ability to internalise adverse effects; and (e) The extent to which off-site effects including noise will inhibit the use of surrounding land; and

<ol style="list-style-type: none"> 7. The minimum setback from internal site boundaries for buildings greater than 10 m high must be 60 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater; and 8. The minimum setback from internal site boundaries for all other buildings must be 15 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater; and 9. The minimum setback from internal site boundaries for deposition of overburden material or for extraction and deposition of aggregates must be 30 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater provided that this rule shall not apply to any common boundary with an adjoining site which is in the same holding or where the written agreement of the relevant landowner to a lesser setback is obtained and provided to Council prior to the works commencing. 10. On rear sites all boundaries are internal boundaries; and 11. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding. <p><i>Note: Stockyards and stock loading ramps are not required to comply with this rule.</i></p> <p><i>Note: All buildings and structures must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<ol style="list-style-type: none"> (f) The extent to which the non-compliance and any subsequent building, structure or activities on the site adversely affects the character and amenity values of the surrounding area and/or road; and (g) Effects on the safety and efficiency of traffic flow; and (h) The extent to which the activity can be relocated to meet setback requirements; and (i) The layout, design and location of the activity, including consideration of wind and climate patterns and the ability to maintain the amenity of neighbouring properties; and (j) Topographical and geographical features affecting odour, dust, visual impact and noise; and (k) The effects associated with layout, design and location of the activity, including operating hours; and (l) The effects of increased traffic and the timing of traffic generation; and (m) The extent to which the reduction in the setback is due to the shape or natural and physical features of the site.
RPROZ-S2.	Height and height in relation to boundary
<ol style="list-style-type: none"> 1. Structures must not exceed 20 m in height as measured from ground level; and 2. No structure or stored materials shall project beyond a building recession plane from points 3 m above site boundaries. See Figure - RPROZ 1. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the building or structure; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) 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 (d) Effects on the character and amenity values of the surrounding properties, public spaces, the adjacent zone or road; and

	(e) Effects on the visual privacy of adjoining properties.
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Figure – RPROZ 1 – Height in relation to boundary



RPROZ-S3.	Maximum building size and building coverage
<div>1. Construction, alteration or extension of buildings or structures - the maximum size of a building or structure must be no greater than 1000 m²; and</div> <div>2. The total building and structure coverage on a site must not exceed 30% of the net site area.</div>	<div>Matters over which discretion is restricted:</div> <div>(a) Visual effects including bulk, scale and location of the building or structure; and</div> <div>(b) The provision of daylight and sunlight into neighbouring buildings; and</div> <div>(c) The adverse effects on adjacent sites; and</div> <div>(d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</div> <div>(e) Effects on stormwater management and overland flow paths; and</div> <div>(f) The extent of the activity and the ability to internalise adverse effects; and</div> <div>(g) The extent to which off-site effects including noise will inhibit the use of surrounding land; and</div> <div>(h) Provision of on-site parking, manoeuvring and access; safety and efficiency and the effects of traffic generation, particularly</div> <div>(i) Effects on riparian margins or areas of indigenous vegetation; and</div> <div>(j) The effects associated with layout, design and location of the activity, including operating hours.</div>

RPROZ-S4.	Landscaping – adjoining zones	
1. The side and/or rear boundary of a site that adjoins a site zoned as residential, rural lifestyle, settlement, Māori purpose, tourism, future urban or open space must either:		Matters over which discretion is restricted:
(i) Be planted and/or landscaped with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from the side and/or rear boundary; or		(a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity, building or structure; and
(ii) Be fenced with a solid, close-boarded enclosed fence made with a minimum height of 2 m in height as measured from ground level;		(b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment; and
AND		(c) The extent of the activity and the ability to internalise adverse effects; and
(iii) Security fences and fences over 2 m high must be set back a minimum of 2 m from all road boundaries, including internal road boundaries, and must be landscaped to screen the fence or security fence.		(d) The extent to which off-site effects including noise will inhibit the use of surrounding land; and
		(e) The extent to which the non-compliance and any subsequent building, structure or activities on the site adversely affects the character and amenity values of any adjacent zone; and
		(f) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.
RPROZ-S5.	Landscaping – road boundaries	
1. All buildings, carparking areas or yard areas that are visible from an adjoining road boundary, or a public space must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2 m and, with the exception of vehicle crossing, be a minimum width of 2 m from the road boundary; and		Matters over which discretion is restricted:
2. This rule does not apply to RPROZ-1.		(a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity, building or structure; and
		(b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment and adjacent road; and
		(c) The extent of the activity and the ability to internalise adverse effects; and
		(d) The extent to which off-site effects including noise will inhibit the use of surrounding land; and
		(e) The extent to which the siting and external appearance of buildings, structures or activities sit within the receiving environment; and
		(f) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.

RPROZ-S6.	Outdoor storage screening
<p>1. No outdoor storage area shall be visible from an adjoining property, public space or a road. Any outdoor storage area visible from an adjoining property, public space or road must be screened from the property, public space or road by:</p> <p>(i) Planting and/or landscaping with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from the side and/or rear boundary; or</p> <p>(ii) Fencing with a solid, close-boarded enclosed fence 2m high as measured from ground level.</p> <p>2. Provided this rule does not apply to overburden located on sites RPROZ-1 to RPROZ-9 (as listed in RPROZ-SCHED1).</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The extent to which the proposed landscaping is able to soften the visual impact of the outdoor storage; and</p> <p>(b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment; and</p> <p>(c) The extent to which the siting and external appearance of the outdoor storage, sits within the receiving environment; and</p> <p>(d) The extent to which the non-compliance adversely affects the character and amenity values of any adjacent zone; and</p> <p>(e) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.</p>
RPROZ-S7.	Servicing
<p>1. All developments must have an independent potable water supply for activities on the site; and</p> <p>2. All developments must have an independent water supply for fire fighting that is compliant with SNZ PAS 4509: 2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; and</p> <p>3. All developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</p> <p>4. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP).</p> <p><i>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).</i></p> <p><i>Note: Stormwater and wastewater disposal, and ground and surface water takes may require a resource consent from the Waikato Regional Council or the Manawātū Whanganui Regional Council.</i></p>	<p>Matters over which discretion is restricted:</p> <p>Potable water supply</p> <p>(a) Infrastructure provision; and</p> <p>(b) Any alternative measures or mitigation measures proposed; and</p> <p>(c) Consideration of alternative locations; and</p> <p>Stormwater management</p> <p>(d) Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and</p> <p>(e) Effects on adjoining properties and infrastructure, including cumulative effects and the potential for the activity to create, transfer or intensify hazard risks on adjoining sites; and</p> <p>(f) Use of green infrastructure methods for stormwater management; and</p> <p>Fire fighting water supply</p> <p>(g) Whether fire risk can be managed through appropriate building materials and building design, site layout, setbacks, structural or engineering solutions; and</p> <p>(h) Any mitigation measures to reduce the risk to people's safety, well-being and property; and</p>

		<p>Wastewater management</p> <p>(i) The type of by-product or waste proposed to be stored, treated or disposed of and its potential effects; and</p> <p>(j) The location and scale of the storage facility; and</p> <p>(k) The effect on surrounding properties, rural character and amenity; and</p> <p>(l) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</p> <p>(m) Potential reverse sensitivity effects on any adjoining rural activities.</p>
RPROZ-S8.	Minimum setback from water bodies – quarrying activities, mineral prospecting and exploration	
<ol style="list-style-type: none"> 1. The minimum setback for quarrying activities, mineral prospecting and exploration from the edge of any water body as measured from the closest bank – 30 m; and 2. The minimum setback from the edge of any water body as measured from the closest bank for deposition of overburden material or for extraction and deposition of aggregates – 30 m; and 3. For the purposes of this rule a water body is: <ol style="list-style-type: none"> (i) A perennial watercourse with a bankfull channel width of 3 m or more; or (ii) In the Upper Waipa River sub-catchments, as identified on the Planning Maps, a perennial watercourse with a bankfull channel width of 2 m or more; or (iii) A lake equal to or larger than 0.25 ha. <p><i>Note: For setbacks from natural wetlands see the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p>	<p>Activity status where compliance is not achieved: NC</p>	

RPROZ-SCHED1 – Scheduled rural production sites

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

RPROZ-1		Taharoa Ironsands Mine	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block	Significant mineral resource
RPROZ-2		Ravensdown Supreme Lime Quarry	Mangarino Road	Pukeroa Hangatiki A56 & A58 Blocks, Lot 3 DPS 91155	Significant mineral resource
RPROZ-3		Graymont Oparure Quarry	Oparure Road	Lot 2 DPS 77130	Significant mineral resource
RPROZ-4		Rorisons Riverside Wairere Lime Quarry	Kaitaringa road	Lot 2 DPS 17671, Aorangi 3D1 Block	Significant mineral resource
RPROZ-5		Tuckers Quarry	Aria road	Part Section 1 & 16 Block X Totoro SD, Section 14 Block X Totoro SD, Section 31 Block IX Totoro SD, Part Lot 1 DP 4271, Lot 1 DP 14708	Significant mineral resource
RPROZ-6		Piopio Quarry	State Highway 3	Lot 1 DPS 14880, Lot 1 DPS 39347	Significant mineral resource
RPROZ-7		Symonds Quarry Omya New Zealand Limited	Somerville Road	Lot 2 DPS 56871, Lot 1 DPS 41887, Lot 1 DPS 50483, Lot 14 DP 20464, Section 1 SO 532312	Significant mineral resource
RPROZ-8		Greywacke Quarry	State Highway 30 – Bodley Road	Part Section 13 Block VIII Otanake SD	Not regionally significant
RPROZ-9		Awakino Quarry	Manganui Road	Sections 16, 17 & 41 Block VII Awakino North SD	Significant mineral resource

Primary Purpose – Mineral Processing

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

Unique Identifier	Map Ref	Site Name	Location	Legal description*	Site Type & regional significance
Primary Purpose – Meat Processing					
RPROZ-12		Te Kuiti Meat Processors Limited	Rangitoto Road	Part Lot 1 DP 19124	Regionally significant industry
RPROZ-13		Crusader Meats Limited	State Highway 30	Part Tiroa E Block	Not regionally significant
Primary Purpose – Hydro-electric Power Generation					
RPROZ-14		Wairere Hydro Power Station King Country Energy	Aria Road	Crown Land Block VI (under action) Totoro Survey District, Part Section 1 Block VI Totoro SD	Regionally significant infrastructure
RPROZ-15		Mokauiti Hydro Power Station King Country Energy	Totoro Road	Lot 1, 2, 3, 4 & 8 DP 9235, Section 28, 29 & 33 Block IX Totoro SD	Regionally significant infrastructure
RPROZ-16		Speedies Road Hydro Power Station The Lines Company	Speedies Road	Section 2 SO 426054, Lot 2 DP 410761	Regionally significant infrastructure
RPROZ-17		Boulder Creek Road Hydro Power Station Crusader Meats Limited	Waipa Valley Road	Lot 1 DP 367689	Regionally significant infrastructure

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

Advice notes

Accidental discovery protocol

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

- Work must cease immediately at that place and within 20m around the site;
- Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;
- Notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (New Zealand Pouhere Taonga Act 2014);

-
- *If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded;*
 - *Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed.*

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

Contaminated land

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

Regional Council consents

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

Works in close proximity to any electricity line

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

Landscaping

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


8. Appendix 3 – Section 32AA Evaluation

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

Amendment of the application of wider plan provisions

2. This chapter does not require all the rules to be considered when assessing the activity as many will be irrelevant to an application. The word “all” was erroneously included. RMA schedule 1, clause 16 enables a local authority to make an amendment to its proposed plan, without using the process in schedule 1, to alter any information, where such an alteration is of minor effect, *or to correct any minor errors*. Using RMA schedule 1, clause 16 the Panel has directed that the following word is removed from the chapter:

Rules

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

- RPROZ - Table 1 - Activities rules; and
- RPROZ - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters.

3. There is also scope to make this amendment under BP Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) submission to make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.

Provisions not requiring an evaluation

4. The section 32AA evaluation for this chapter is contained in the section 42A Report. The following evaluation only applies to those provisions later amended by the Panel.
5. The changes proposed to the industrial zone overview and the table RPROZ-SCHED1 – Scheduled rural production sites do not have a material effect on the provisions of the plan. They provide clarification only and as such, do not require a section 32AA evaluation.

Policy

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

1. Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and

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

Other reasonably practicable options

6. Other options considered included relying solely on the header sentence or retaining the status quo. However, these alternatives would not provide the clarity of direction that was sought for this policy point. The proposed policy wording is considered to be the most practicable and effective approach.

Effectiveness and efficiency

7. This policy point is effective in promoting restoration and landscape integration post-extraction. It ensures mining and quarrying activities do not result in long-term visual or ecological degradation. By specifying that rehabilitation must be carried out "as far as practicable", it introduces flexibility, allowing for tailored responses to site-specific constraints such as geology, access and surrounding land use. In terms of efficiency, it encourages quarry operators to plan for closure and after-use, reducing risks of abandoned sites (and therefore downstream costs to councils and ratepayers forced to undertake remediation).

Costs and benefits

8. The primary benefit of the policy is its contribution to the long-term protection and restoration of sites. Sites can be converted to productive land uses (e.g. pasture, forestry, recreation, wetlands) adding long-term economic value. The costs relate to the activity of rehabilitation. These are high but justified.

Risk of acting or not acting

9. The risk of acting is low. **The "as far as practicable" clause ensures proportionality.** The risk of not acting is high. The policy seeks to avoid a significant risk of environmental degradation, public complaints, and legacy liabilities. Unrehabilitated sites can pose safety hazards, degrade water quality and attract pest species.

Decision about the most appropriate option

10. The proposed policy is the most appropriate way to achieve the purpose of the objectives. It provides a directive policy framework to help encourage restoration opportunities. RPROZ-P4 responds to RPROZ-O3 and O5.

Rule

RPROZ-R26.	Servicing
<ol style="list-style-type: none"> 1. All developments must have an independent potable water supply for activities on the site; and 2. All developments must have an independent water supply for fire fighting that is compliant with SNZ PAS 4509: 2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; and 3. All developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and 4. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP). 	<p><u>Matters over which discretion is restricted:</u></p> <p><u>Potable water supply</u></p> <p><u>(a) Infrastructure provision; and</u></p> <p><u>(b) Any alternative measures or mitigation measures proposed; and</u></p> <p><u>(c) Consideration of alternative locations; and</u></p> <p><u>Stormwater management</u></p> <p><u>(d) Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and</u></p> <p><u>(e) Effects on adjoining properties and infrastructure, including cumulative effects and the potential for the activity to create, transfer or intensify hazard risks on adjoining sites; and</u></p> <p><u>(f) Use of green infrastructure methods for stormwater management; and</u></p> <p><u>Fire fighting water supply</u></p> <p><u>(g) Whether fire risk can be managed through appropriate building materials and building design, site layout, setbacks, structural or engineering solutions; and</u></p> <p><u>(h) Any mitigation measures to reduce the risk to people's safety, well-being and property; and</u></p> <p><u>Wastewater management</u></p> <p><u>(i) The type of by-product or waste proposed to be stored, treated or disposed of and its potential effects; and</u></p> <p><u>(j) The location and scale of the storage facility; and</u></p> <p><u>(k) The effect on surrounding properties, rural character and amenity; and</u></p> <p><u>(l) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u></p> <p><u>(m) Potential reverse sensitivity effects on any adjoining rural activities.</u></p>

Effectiveness and Efficiency

11. The restricted discretionary matters are effective because they target specific infrastructure-related risks associated with unreticulated development in rural production zones and ensure that key servicing constraints (water, wastewater, stormwater, firefighting) are properly considered. They are efficient as they focus discretion on key risk areas, and they encourage landowners to consider servicing and hazard management early, which reduces long-term costs.

Costs and Benefit Assessment

12. Some costs may arise as a result of additional site investigations, but these would have also been required under a discretionary activity status. The main benefit is ensuring that developments are safe, sustainable, and reasonably compatible with surrounding activities, given they are located in the rural production zone. The rule should help to reduce risk of nuisance, amenity loss or reverse sensitivity effects.

Risk of Acting or Not Acting

13. The risk of acting is low. The matters provide appropriate scope to assess and mitigate infrastructure and hazard effects without unduly burdening the applicant. The risk of not acting is high. Without these matters, consents could be granted without adequate scrutiny of servicing feasibility, hazard exposure or compatibility with neighbouring rural land uses. This increases the risk of infrastructure failure, flooding or runoff impacts, fire safety risks and land use conflicts.

Decision about the most appropriate option

14. The proposed rule is the most appropriate way to achieve the purpose of the RMA **and the plan's objectives**. The listed restricted discretionary matters are also the most appropriate way to achieve integrated management of infrastructure and hazard risks in unreticulated areas. They ensure development is sustainable, serviceable, and aligned with the character and functioning of the rural production zone, while still allowing flexibility and innovation in site design.

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 51. **Māori Purpose** Zone and development
of Māori Land

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 51 **Māori Purpose Zone** and the spatial extent of that zone.
2. The **Māori Purpose Zone** (MPZ) is intended to provide for the social, cultural, environmental and economic needs of mana whenua and to enable reconnection of mana whenua with sites of ancestral importance. The intention of the zone is **to allow the development and use of marae complexes and papakāinga to a level of intensity and with a range of activities greater than would be permissible in other zones.**
3. The zone also acknowledges that the nature of multi-ownership tenure can be problematic when trying to align with the current legislation pertaining to land. In order to allow mana whenua to utilise land resources effectively and to contribute **to restoring customary activities on Māori whenua, the zone allows marae complexes and papakāinga as a permitted activity.**
4. The MPZ is located in discrete areas across the district that has been identified by the **Māori Land Court as set aside for a Māori Reservation.** While MPZ only applies to a small proportion of land in the District, the other part of the approach for **Māori land is that all the residential and rural zones enable papakāinga housing developments and marae complex as permitted activities. This enables Māori** to provide for their culture and a broad range of residential opportunities across the zones.
5. While this decision report focuses on MPZ, it also outlines the **Panel's decision on Māori land in general** given that submissions were received which sought **expansion of the MPZ provisions to all Māori Freehold Land**, irrespective of zoning.

2. Hearing arrangements

6. The hearing was held in person and online **on 16 and 17 July 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.**
7. The following parties submitted on this chapter.

Submission No	Submitter
Submission no	Submitter
13	Sheryl Paekau
16	Fire and Emergency New Zealand
10	Waikato Regional Council
17	Waka Kotahi
24	Ministry of Education
35	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru

Submission No	Submitter
36	Kāinga Ora
38	Wayne Jensen and TTRMC (TT Whare) and Iwi Liaison Role
45	Marama Henare-Waho
50	Te Nehenehenui Trust
55	Kura Stafford
FS08	Graymont Ltd
FS20	Sheryl Paekau
FS23	Te Nehenehenui

8. The only submitters who attended the hearing to address the development of **Māori** land was Sheryl Paekau, Nevada Huaki and an additional support person whose name was not recorded on 16 July 2024.

3. Submitter evidence

9. The submitters spoke to their submissions, seeking the adoption of the Māori Land chapter provisions that were included in the decision on the Proposed Waikato District Plan. Ms Paekau considered that there are limited opportunities for **Māori** land owners to develop their land as a collective, and a number of barriers to **Māori** developing their land. She referenced s6(e) of the Resource Management Act (RMA) and considered that Council needs to employ efficient and effective provisions to enable sustainable development. She observed that **Māori** are land rich but money poor. She felt that the restrictive processes results in years of poor development and lack of progress, and cold damp unhealthy homes.
10. The s42A report recommended rejecting the submissions on the basis that the most prevalent zones enable increased levels of development for marae and **papakāinga**. Other than MPZ, the zones generally have a limit of 6 **papakāinga** residential units that can be developed as a permitted activity, which cascades to discretionary activity for more than 6. Ms Wratt asked Ms Huaki whether there was a more appropriate number than 6 in the event that a limit was retained, but she did not have any views on this and preferred no limits.

4. Panel decision

11. It was clear to the Panel that the PDP has taken the approach of applying a MPZ around existing Marae as well as **having enabling rules for papakāinga** in the predominant zones (and in some zones development of marae complex activities).
12. The Panel is critically aware of the importance of s6(e) of the RMA; and that the **relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga** is a matter of national importance.
13. Based on the evidence (including the section 42A report) before it, the Panel consider there are three possible approaches for managing the development of **Māori** land in terms of the proposed district plan. These are outlined below.

Option 1: Adopt the approach of the Waikato District Plan (Operative in Part)

14. The Waikato District Plan (Operative in Part) has a stand-alone chapter for Maaori Land, located in Part 2 District-wide Matters. This chapter effectively trumps all zone provisions and enables Maaori purpose activity and home businesses on Maaori land. Maaori land is defined as:
- Means Maaori freehold land, Maaori customary land, Maaori reservation or Treaty settlement land.
15. In addition, it identifies that the following rules do not apply to Maaori land:
- a. Number of residential units;
 - b. Minor residential unit rules;
 - c. Buildings and structures in Landscape and Natural Character Areas;
 - d. Building height;
 - e. Building coverage;
 - f. Outfall structures located within an Identified Area;
 - g. Vehicle access standards; and
 - h. On-site parking, loading and queuing.
16. This has the effect of enabling increased levels of development on Maaori land **over and above the "standard" zone rules.**
17. The MPZ enables a wide range of activities as a permitted activity so this could **remain, however papakāinga and marae complex rules would no longer be needed** in any of the zones as it would be superseded by a single chapter.

Option 2: Retain the rules for each zone but remove some limitations on development

18. This option would retain the MPZ, **as well as enabling papakāinga and marae complex** in the predominant zones. As notified, **papakāinga was limited to a maximum of 6 residential units per site (or 10 in the MPZ) as a permitted activity.** This option would remove that limitation, as well as some of the standards which constrain development **of papakāinga and marae complex** such as building height, building coverage and 200m² net site area per **papakāinga** unit.

Option 3: Retain the approach as notified

19. This option would retain the MPZ around the Marae which enables a wide variety of activities to occur as permitted activities. **Papakāinga is enabled as a permitted activity** in the MPZ, General rural zone, Future urban zone, Rural lifestyle zone, Residential zone, Settlement zone, Te Maika Precinct and Tourism zone with a limit of 10 units in the MPZ or 6 for all other zones. The PDP enables marae complex in the following zones as a permitted activity:
- a. General rural zone;
 - b. Rural lifestyle zone;

- c. Settlement zone;
 - d. Tourism zone; and
 - e. Te Maika precinct.
20. **Both papakāinga and marae complex are still subject to the standards around bulk and location of buildings that apply to each zone.**
 21. Having considered the options and heard the various concerns expressed by submitters, the Panel prefer Option 3. The Panel appreciate that the Waikato District Plan provisions are far more liberal than those proposed and potentially would enable significantly more development than envisaged by the PDP. However, the Panel have concerns around the potential for development to occur in remote locations leading to isolated communities.
 22. In the absence of detailed evidence and a section 32/32AA evaluation from the submitters, the Panel consider that adopting the Waikato District Plan provisions would be inappropriate. It would also potentially be out of scope given the significant change this would allow without other parties having an opportunity to address the issue – either in support or opposition). While accepting the significance of the issues and the Part 2 RMA matters (sections 6, 7 and 8), based on the evidence before the Panel Option 3 is preferred.
 23. The Panel does **not consider that the provisions in the PDP for papakāinga and marae complex to be significant obstacles to Māori developing their land. The limit of 6 papakāinga** per site for most zones and 10 in the MPZ enables considerably more development than would otherwise be permitted.
 24. Furthermore, the Panel's finding is that development in excess of the proposed permitted level should be assessed through a resource consent process, particularly to ensure that there is adequate servicing and that any adverse effects are addressed. The Panel considers that the approach promoted in the PDP strikes the appropriate balance between enabling development while managing any potential adverse effects of greater levels of development.
 25. For all other matters concerned with the MPZ maps and provisions not otherwise covered above, the Panel has adopted the recommendations in the Section 42A Report. No further amendments were recommended in the Section 42A Addendum Report on this chapter, although more analysis was undertaken in response to the evidence filed by submitters.

5. Conclusion

26. The Panel accepts the recommendations in the section 42A report. 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.
27. Overall, the Panel is satisfied that the provisions of the MPZ chapter and the **papakāinga and marae complex provisions in other zones**, as amended, will provide a suitable framework for managing the ongoing use and development of **Māori land**, whilst managing any adverse effects.
28. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair
Dated: 19 June 2025

6. Appendix 1 – Submission Table

MĀORI PURPOSE ZONE

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept/Accept in part/Reject
13.01	Sheryl Paekau	Support in part	51. MPZ	51. MPZ	Retain the provisions that support marae purpose living, papakainga. Provide a pathway in the rule framework which enable the development of Maori Freehold Land	Accept in part
16.77	FENZ	Support	51. Māori purpose zone	MPZ-03	Retain as notified.	Accept
16.78	FENZ	Support in part	51. Māori purpose zone	MPZ-P6	Amend as follows: MPZ-P6. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated <u>water</u> , wastewater and stormwater methods.	Accept
16.79	FENZ	Support in part	51. Māori purpose zone	MPZ-R26	Delete MRZ-R26(4) and replace with the following: 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</u>	Accept

					<p><u>water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509: 2008.</u></p> <p>AND</p> <p>Retain the note as notified.</p>	
10.150	WRC	Support	52. Māori purpose zone	General	Retain these provisions.	Accept
10.151	WRC	Support	52. Māori purpose zone	MPZ-O1 to MPZ-O4 and MPZ-P1 to MPZ-P7	Retain these provisions.	Accept
17.152	Waka Kotahi	Support in part	51. Māori purpose zone	MPZ-R13.1(f)	Amend MPZ-R13.1(f) as follows: (f) Parking, manoeuvring, and access; safety and efficiency <u>of the transport network</u> , including the provision of sufficient off-street parking and the effects of traffic generation; and	Reject
17.153	Waka Kotahi	Support	51. Māori purpose zone	MPZ -R21.3	Retain as notified.	Accept
17.154	Waka Kotahi	Oppose	51. Māori purpose zone	MPZ-R24	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	Accept in part
24.69	MoE	Support	51. Māori purpose zone	MPZ-O2	Retain MPZ-O2 as notified.	Accept
24.70	MoE	Amend	51. Māori purpose zone	New policy	<p>Add the following new policy to the Māori Purpose zone:</p> <p><u>MPZ- PX</u></p>	Accept in part

					<p><u>To provide for a mix of activities within the Māori Purpose zone which meet the needs of the local community and support mana whenua aspirations.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	
24.71	MoE	Support	51. Māori Purpose zone	MPZ-R6	Retain MPZ-R6.	Accept
35.22	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru	Support with amendment	51. Māori purpose zone	Zones Precincts/Special purpose/MPZ	Retain intent of the MPZ zone in providing for the development of Māori owned land and supporting Mana Whenua aspirations.	Accept
FS20.22	Sheryl Paekau	Support			I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
36.28	Kāinga Ora	Oppose with amendment	51. Maori Purpose Zone	MPZ-1	<p>Amend MPZ-1 as follows:</p> <p>Marae complex and up to 10 papakāinga units per each individual zone</p> <p>Permitted where:</p> <p>All of the performance standards in MPZ –Table 2 are complied with.</p> <p>Restricted Discretionary where compliance is not achieved with MPZ-R21 MPZR24 <u>MPZ-R26</u>.</p> <p>Discretionary where compliance is not achieved with MPZ-R25 to MPZ-R26</p>	Accept

					And Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	
38.69	TTRMC	Support	51. Māori purpose zone	MPZ	Retain the MPZ as notified.	Accept
FS20.98	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
38.110	TTRMC	Support	51. Māori purpose zone	MPZ-O1	Retain MPZ-O1 as notified.	Accept
FS20.139	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
38.111	TTRMC	Support	51. Māori purpose zone	MPZ-O2	Retain MPZ-O2 as notified.	Accept
FS20.140	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
38.112	TTRMC	Support	51. Māori purpose zone	MPZ-O3	Retain MPZ-O3 as notified.	Accept
FS20.141	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
38.113	TTRMC	Support	51. Māori purpose	MPZ-O4	Retain MPZ-O4 as notified.	Accept

			zone			
FS20.142	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
38.114	TTRMC	Support	51. Māori purpose zone	MPZ-P1	Retain MPZ-P1 as notified.	Accept in part
FS20.143	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
38.115	TTRMC	Support	51. Māori purpose zone	MPZ-P2	Retain MPZ-P2 as notified.	Accept
FS20.144	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
38.116	TTRMC	Support	51. Māori purpose zone	MPZ-P3	Retain MPZ-P3 as notified.	Accept
FS20.145	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
38.117	TTRMC	Support	51. Māori purpose zone	MPZ-P4	Retain MPZ-P4 as notified.	Accept
FS20.146	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
38.118	TTRMC	Support	51. Māori purpose	MPZ-P5	Retain MPZ-P5 as notified.	Accept

			zone			
FS20.147	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
38.119	TTRMC	Support	51. Māori purpose zone	MPZ-P6	Retain MPZ-P6 as notified.	Accept in part
FS20.148	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
38.120	TTRMC	Support	51. Māori purpose zone	MPZ-P7	Retain MPZ-P7 as notified.	Accept
FS20.149	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
38.121	TTRMC	Support	51. Māori purpose zone	MPZ-R1	Retain MPZ-R1 as notified.	Accept in part
FS20.150	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
38.122	TTRMC	Support	51. Māori purpose zone	MPZ-R2	Retain MPZ-R2 as notified.	Accept
FS20.151	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	Accept

					numbers of dwellings on Maaori land.	
38.123	TTRMC	Support	51. Māori purpose zone	MPZ-R3	Retain MPZ-R3 as notified.	Accept
FS20.152	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
38.124	TTRMC	Support	51. Māori purpose zone	MPZ-R4	Retain MPZ-R4 as notified.	Accept
FS20.153	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
38.125	TTRMC	Support	51. Māori purpose zone	MPZ-R5	Retain MPZ-R5 as notified.	Accept
FS20.154	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
38.126	TTRMC	Support	51. Māori purpose zone	MPZ-R6	Retain MPZ-R as notified.	Accept
FS20.155	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
38.127	TTRMC	Support	51. Māori purpose zone	MPZ-R7	Retain MPZ-R7 as notified.	Accept
FS20.156	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be	Accept

					allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	
38.128	TTRMC	Support	51. Māori purpose zone	MPZ-R8	Retain MPZ-R8 as notified.	Accept
FS20.157	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
38.129	TTRMC	Support	51. Māori purpose zone	MPZ-R9	Retain MPZ-R9 as notified.	Accept
FS20.158	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
38.130	TTRMC	Support	51. Māori purpose zone	MPZ-R10	Retain MPZ-R10 as notified.	Accept
FS20.159	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
38.131	TTRMC	Support	51. Māori purpose zone	MPZ-R11	Retain MPZ-R11 as notified.	Accept
FS20.160	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
38.132	TTRMC	Support	51. Māori purpose zone	MPZ-R12	Retain MPZ-R12 as notified.	Accept

FS20.161	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
38.133	TTRMC	Support	51. Māori purpose zone	MPZ-R13	Retain MPZ-R13 as notified.	Accept in part
FS20.162	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
38.134	TTRMC	Support	51. Māori purpose zone	MPZ-R14	Retain MPZ-R14 as notified.	Accept
FS20.163	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
38.135	TTRMC	Support	51. Māori purpose zone	MPZ-R15	Retain MPZ-R15 as notified.	Accept
FS20.164	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
38.136	TTRMC	Support	51. Māori purpose zone	MPZ-R16	Retain MPZ-R16 as notified.	Accept
FS20.165	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

38.137	TTRMC	Support	51. Māori purpose zone	MPZ- R17	Retain MPZ-R17 as notified.	Accept
FS20.166	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
38.138	TTRMC	Support	51. Māori purpose zone	MPZ- R18	Retain MPZ- R18 as notified.	Accept
FS20.167	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
38.139	TTRMC	Support	51. Māori purpose zone	MPZ- R19	Retain MPZ- R19 as notified.	Accept
FS20.168	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
38.140	TTRMC	Support	51. Māori purpose zone	MPZ- R20	Retain MPZ- R20 as notified.	Accept
FS20.169	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
38.141	TTRMC	Support	51. Māori purpose zone	MPZ- R21	Retain MPZ- R21 as notified.	Accept
FS20.170	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my	Accept

					support in part when applied to limiting numbers of dwellings on Maaori land.	
38.142	TTRMC	Support	51. Māori purpose zone	MPZ- R22	Retain MPZ-R22 as notified.	Accept
FS20.171	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
38.143	TTRMC	Support	51. Māori purpose zone	MPZ- R23	Retain MPZ- R23 as notified.	Accept
FS20.172	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
38.144	TTRMC	Support	51. Māori purpose zone	MPZ- R24	Retain MPZ- R24 as notified.	Reject
FS20.173	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
38.145	TTRMC	Support	51. Māori purpose zone	MPZ- R25	Retain MPZ- R25 as notified.	Accept
FS20.174	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
38.146	TTRMC	Support	51. Māori purpose zone	MPZ- R26	Retain MPZ- R26 as notified.	Accept in part
FS20.175	Sheryl	Support			I seek that the whole of all submissions	Accept in part

	Paekau				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.	
45.09	Marama Henare-Waho	Support with amendment	51. Māori purpose zone	MPZ-O1	Amend MPZ-O1 to include Kaura Māori .	Reject
FS20.193	Sheryl Paekau	Support			I seek that all of the matters involving Maaori sites of significance be addressed in the correct way.	Reject
45.10	Marama Henare-Waho	Support with amendment	51. Māori purpose zone	Whole chapter	Amend the Māori Purpose Zone to require early and appropriate and proper engagement with the mana whenua i.e. the hapu / whanau who hold mana in the land.	Reject
FS20.194	Sheryl Paekau	Support			I seek that all of the matters involving Maaori sites of significance be addressed in the correct way.	Reject
50.05	TNN	Amend/add	51. Māori purpose zone	New – addition of a Papakāinga chapter to complement the Māori purpose zone	<p>Te Nehenehenui supports and welcomes provisions to enable Mana whenua to meet their housing and cultural needs.</p> <p>Request that WDC Amend the Proposed District Plan to include a papakāinga chapter. To ensure that the Papakāinga chapter complements the Māori purpose zone and contains provisions and schedules that are developed to meet and enhance positive outcomes for the cultural and housing needs of mana whenua. This chapter must be co-developed with iwi, marae and hapū through a thorough consultation process directly with marae and hapū/ iwi that and Māori who are ancestral Māori land owners within the Waitomo District.</p>	Reject

					A series of additional definitions will be required to support the context of the proposed district plan and Papakāinga chapter e.g Ancestral Māori land definition and other words/ meaning consistent with Te Rautaki Reo a Te Nehenehenui.	
FS08.26	Graymont Ltd	Support			Allow	Reject
FS20.203	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	Reject
FS20.236	Sheryl Paekau	Support			I seek that this submission be given consideration and take into account the barriers that Maaori must overcome in order to use their land sustainably in the future	Reject
50.31	TNN	Support	51. Māori purpose zone	MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26.	Retain the provisions in the Māori purpose zone: MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ- R26.	Accept in part
FS20.229	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
55.01	Kura Stafford	Support in part	51. Māori purpose zone and Maps	Whole Chapter	Retain the provisions that support marae purpose living, papakaainga. Provide a pathway in the rule framework, which enables the development of Māori freehold land. The Draft Waitomo Plan can be further enhanced to enable the development of Māori owned land referred to in the	Accept in part

					<p>Māori Land Court as Māori Freehold land (ancestral lands), that will also give effect to section 6 of the RMA.</p> <p>Although the mapping/zoning of Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori land.</p>	
FS20.241	Sheryl Paekau	Support			I seek that this point be retained and given recognition and supported a approach	Accept in part
FS23.261	Te Nehenehenui	Support			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support</p>	Accept in part

7. Appendix 2 – Decisions Version of the Chapter

Māori Purpose Zone | Te Rohe Whakamahinga Māori

Overview

The Māori purpose zone provides for the social, cultural, environmental and economic needs of mana whenua and seeks to enable reconnection with sites of ancestral importance to mana whenua. The intention of the zone is to allow the development and use of marae complexes and papakāinga to a level of intensity/range of activities greater than would be permissible in the general rural zone. The limiting factor to development in the zone is generally the ability to provide infrastructure including water and wastewater supplies. There is also a need to ensure new activities do not cause reverse sensitivity issues on existing lawfully established activities.

The zone recognises and provides for the relationship of Māori with Māori land as defined in the Te Ture Whenua Māori Act 1993. The zone also acknowledges that the nature of multi-ownership tenure can be problematic when trying to align with the current legislation pertaining to land. In order to allow mana whenua to utilise land resources sustainably and to contribute to restoring customary activities on **Māori whenua, the zone allows marae complexes and papakāinga as a permitted activity.**

Some areas of the **Māori purpose zone** are in the amenity precinct (PREC6) which is located along the State Highway 37 corridor between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district. This area was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement. As a multi-zoned precinct, the provisions are located separately in the amenity precinct (PREC6) chapter.

Objectives

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

- MPZ-O1. Enable mana whenua to use, manage and enjoy their traditional resources and maintain their relationship with ancestral lands in accordance with tikanga **Māori** and matauranga **Māori**.
- MPZ-O2. Support the aspirations of mana whenua to create prosperous, healthy, innovative communities that offer opportunities for growth while managing the adverse effects on the environment.
- MPZ-O3. Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.
- MPZ-O4. Ensure that the potential for reverse sensitivity effects to arise is minimised.

Policies

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

- MPZ-P1. Mana whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations by:
1. Promoting the efficient development of **Māori** land; and
 2. Allowing economic development that supports the occupation, development and use of **Māori** land; and
 3. Enabling design and development in accordance with tikanga Māori and matauranga Māori; and
 4. Providing for a mix of activities that support the local community.
- MPZ-P2. Support the aspirations of mana whenua to develop marae complexes and papakāinga housing developments while ensuring adverse effects on the environment are avoided, remedied or mitigated by:
1. Avoiding overdevelopment of sites through building coverage specifications; and
 2. Ensuring development or redevelopment is appropriately located and well designed; and
 3. Requiring 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
 4. Ensuring papakāinga housing development is appropriately serviced and provides the occupants with outdoor space and parking.
- MPZ-P3. Ensure the scale, type, design and location of structures and activities is appropriate by:
1. Managing dust, noise, glare, access and parking to maintain the amenity values of land adjoining the zone; and
 2. Maintaining the road boundary setback for buildings; and
 3. Ensuring that buildings are designed so as not to overshadow or overly dominate the character of the surrounding area.
- MPZ-P4. Ensure new development is designed and located to manage significant risks from natural hazards.
- MPZ-P5. Ensure lawfully established activities on land adjoining the zone are not constrained by the establishment of noise sensitive activities within the zone.
- MPZ-P6. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated water, wastewater and stormwater methods.
- MPZ-P7. 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 **Māori** purpose zone are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- MPZ - Table 1 - Activities Rules; and
- MPZ - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and

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.

MPZ - Table 1 – Activities rules

MPZ-R1.	Papakāinga units
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in MPZ – Table 2 are complied with.</p> <p><i>Note: See the Hapori Whānui chapter for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i></p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	<p>Activity status where compliance is not achieved with any of the standards in MPZ – Table 2: RDIS</p> <p>The matters over which discretion is restricted are:</p> <p>(a) For non-compliance with MPZ-S1 – MPZ-S4, refer to the matters of discretion associated with each performance standard.</p> <p>For non-compliance with MPZ-S5:</p> <p>(b) Visual effects including bulk, scale and location of the building(s); and</p> <p>(c) Effects on surrounding properties, character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Management of stormwater.</p> <p>For non-compliance with MPZ-S6(1) water supply:</p> <p>(f) Health and safety of the occupants; and</p> <p>(g) Sufficiency of supply for fire-fighting.</p> <p>For non-compliance with MPZ-S6(2) wastewater:</p> <p>(h) Health and safety of the occupants and public;</p> <p>(i) Effectiveness of alternative solutions;</p> <p>(j) Capacity of the system;</p>

- (k) Infiltration capacity of the soil;
- (l) Location, including proximity to waterways and effects on habitats; and
- (m) Contamination of downstream properties by wastewater.
For non-compliance with MPZ-S6(3) stormwater:
- (n) The likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites;
- (o) The capacity of the system and suitability to manage stormwater;
- (p) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects; and
- (q) Extent to which low impact design principles and approaches are used.
For non-compliance with MPZ-S6(4) firefighting:
- (r) Proximity and access to water for firefighting; and
- (s) Extent to which risk to people and property can be minimised.

MPZ-R2.	Marae complex
MPZ-R3.	Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.
MPZ-R4.	Tanks and silos
MPZ-R5.	Accessory buildings ancillary to any permitted activity
MPZ-R6.	Construction, additions and alteration of buildings for any permitted activity

Activity status: PER

Where:

2. All of the performance standards in MPZ – Table 2 are complied with.

Note: See the [Hapori Whānui chapter](#) for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.

Note: Where the building is listed in [SCHED1 - Heritage Buildings and Structures](#), also see the [historic heritage chapter](#).

Activity status where compliance is not achieved with MPZ-S1 to MPZ-S4 any of the standards in MPZ-Table 2: RDIS

Activity status where compliance is not achieved with MPZ-S5 to MPZ-S6: DIS

Where the activity is RDIS, the matters over which discretion is restricted are:

- (a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ -Table 2.

MPZ-R6.	Healthcare facilities, educational facilities, community facilities, arts and cultural centres	
MPZ-R7.	Boarding houses	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in MPZ - Table 2 are complied with; and 2. The new building does not exceed 250 m² in size or the addition to any existing building does not result in a building that exceeds 250 m² in size; and 3. One boarding house per each individual zone is permitted accommodating no more than 6 persons. 		<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and (b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and (c) The effect on amenity values of nearby residential properties and public places; and (d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and (e) On-site amenity values; and (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (g) The extent of impervious surfaces and landscaping; and (h) Provision of on-site infrastructure; and (i) Potential reverse sensitivity effects on any adjoining activities.
MPZ-R8.	Retail activities	
MPZ-R9.	Tourism facilities	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in MPZ - Table 2 are complied with; and 2. The retail activity must predominantly sell goods produced on-site; and 3. Each of these activities must not exceed a total gross floor area of 100 m² per activity, per each individual zone. 		<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and (b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and (c) The effect on amenity values of nearby residential properties and public places; and (d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and

		<ul style="list-style-type: none"> (e) On-site amenity values; and (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (g) The extent of impervious surfaces and landscaping; and (h) Provision of on-site infrastructure; and (i) Potential reverse sensitivity effects on any adjoining activities.
MPZ-R10.	Home businesses	
<p>Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) No more than two full time equivalent persons who do not reside on the site are employed in the home business; and (b) 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 (c) The home business and papakāinga unit combined must not generate more than 22 vehicle movements to the site per 24 hour period; and (d) Any outdoor storage area must be screened from any road or public space; and (e) A home business may include home based child care but must not be panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the Māori purpose zone these activities are industrial activities. 		<p>Activity status where compliance is not achieved: DIS</p>
MPZ-R11.	Agricultural, pastoral and horticultural activities	
<p>Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> 1. Agricultural, pastoral and horticultural activities and stock underpasses are permitted except for farm airstrips and farm helipads. 		<p>Activity status where compliance is not achieved: DIS</p>

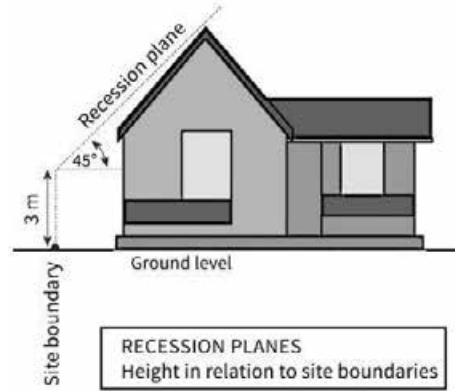
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.		Activity status where compliance is not achieved: N/A
MPZ-R12.	Demolition and/or removal of buildings and structures	
Activity status: PER <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i>		Activity status where compliance is not achieved: N/A
MPZ-R14.	Visitor accommodation and camping grounds Retirement villages Industrial activities Rural industry	
MPZ-R15.		
MPZ-R16.		
MPZ-R17.		
Activity status: DIS		Activity status where compliance is not achieved: N/A
MPZ-R18.	Fortified sites	
MPZ-R19.	Activities not otherwise listed in MPZ - Table 1	
Activity status: NC		Activity status where compliance is not achieved: N/A
MPZ-R20.	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

MPZ - Table 2 - Performance Standards

MPZ-S1.	Minimum setback from road boundaries	
1. The minimum setback from road boundaries for any building adjacent to any district road in the general rural zone must be at least 10 m; and 2. The minimum setback from road boundaries for any building adjacent to any road (including State Highways) in any zone other than the general rural zone must be at least 5 m; and		Matters over which discretion is restricted: (a) Visual effects including bulk, scale and location of the building; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, character and amenity; and

<p>3. The minimum setback from road boundaries for any building adjacent to any designated State Highway in the general rural zone must be 30 m.</p> <p><i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</i></p>	<p>(d) Ability to soften the visual impact of the building from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities; and</p> <p>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</p> <p>(g) Site and topographical constraints.</p>
MPZ-S2.	Minimum setback from internal boundaries
<p>1. The minimum setback for buildings from internal site boundaries must be:</p> <p>(i) 3 m on sites 1,500 m² or less; or</p> <p>(ii) 5 m on sites 1,501 m² or greater</p> <p>AND</p> <p>2. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding.</p> <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, privacy, character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities.</p>
MPZ-S3.	Height and height in relation to boundary
<p>1. Structures must not exceed 10 m in height as measured from ground level; and</p> <p>2. 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 - MPZ 1.</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, rural 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 – MPZ 1 – Height in relation to boundary



MPZ-S4.	Minimum setback from the designation boundary of a rail corridor	
Refer to TRAN-R9.		
MPZ-S5.	Maximum building coverage	
1. The maximum total building coverage on a site must not exceed 35% of the net site area.		Activity status when compliance is not achieved: DIS
MPZ-S6.	Servicing	
1. Where a connection to the Council’s reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and 2. Where a connection to the Council’s reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and 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. 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.		Activity status when compliance is not achieved: DIS
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 Manawatu Whanganui Regional Council. Also see the Waikato Regional Council Stormwater Management Guidelines.

Advice notes

Accidental discovery protocol

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

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

Works in close proximity to any electricity line

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

Landscaping

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

8. Appendix 3 – Section 32AA Evaluation

29. There were no additional changes requiring a Section 32AA evaluation. The section 32AA evaluation is enclosed with the section 42A Report and section 42A Addendum.

Annexure C: List of names of persons to be served

1. Aggregate and Quarry Association (AQA), C/- Jeremy Harding, PO Box 10-668, Wellington 6143, jeremy@straterra.co.nz
2. Federated Farmers of New Zealand, C/- Jo-Anne Cook Munro, PO Box 447, Hamilton 3240, jcookmunro@fedfarm.org.nz
3. Kura Stafford, kuraecon@gmail.com
4. Roy Wetini Whaanau Trust, C/- Teina Malone, 272 Tukapa Street, New Plymouth, 4310, twetini@yahoo.co.nz
5. Sheryl Paekau, 2 Hakarimata Road, Ngaruawahia 3720, sawpaekau@gmail.com
6. Taharoa Ironsands Limited (TIL), C/- Grant Eccles - Tonkin+Taylor, PO Box 9544, Hamilton, geccles@tonkintaylor.co.nz
7. Te Nehenehenui Trust, C/- Samuel Mikaere, PO Box 36, Te Kūiti 3910, sam@tnn.co.nz
8. Te Tokanganui-a-noho Whare (TTRMC), C/- Wayne Jensen, 1403 Te Anga Road, Waitomo, RD 8 Te Kuiti, 3988, teoiroa@hotmail.com
9. Waikato Regional Council, C/- Ashleigh Ngow, 160 Ward Street, Hamilton 3204, ashleigh.ngow@waikatoregion.govt.nz and JoaoPaulo.Silva@waikatoregion.govt.nz
10. Waitomo District Council, C/ - Waitomo District Council, PO Box 404, Te Kūiti 3941, info@waitomo.govt.nz