

# Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

## Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 44. Rural lifestyle 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 44 Rural Lifestyle Zone and the spatial extent of that zone.
2. The Rural Lifestyle Zone (RLZ) provides residential living opportunities in a semi-rural environment on the periphery of urban areas and in specific locations around the district. Application of the zone is focused around existing towns and settlements that have been identified as areas where demand for rural lifestyle development is existing or anticipated in the future. Generally, RLZ sites are unserviced for water, wastewater and water supply with a lack of urban infrastructure such as street lighting, footpaths, and curb and channel road edging. The predominant use of this zone is rural lifestyle rather than urban residential and as such agricultural, horticultural and pastoral farming activities are enabled.
3. The zone is proposed to be located in Mokau, Marokopa, Oparure, Fullerton Road **and in locations on the outskirts of Te Kūiti (such as Gadsby Road)**. The total area of land proposed to be zoned RLZ is 395.1 ha.

# 2. Hearing arrangements

4. 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**.
5. The following parties submitted on this chapter.

Submission No	Submitter
10	Waikato Regional Council
16	Fire and Emergency New Zealand
17	Waka Kotahi
24	Ministry of Education
26	Waitomo District Council
27	Horticulture New Zealand
38	Wayne Jensen and TTRMC (TT Whare) and Iwi Liaison Role
46	Federated Farmers
47	Royal Forest and Bird Protection Society of New Zealand
50	Te Nehenehenui Trust
FS03	Director-General of Conservation
FS05	Federated Farmers
FS20	Sheryl Paekau

6. The only submitters who attended the hearing to address RLZ was the Waikato Regional Council (WRC)<sup>1</sup>, represented by Alejandro Cifuentes, Rick Liefting and Sarah Knott.

### 3. Submitter evidence

7. In their evidence and discussion at the hearing, Mr Cifuentes and Ms Knott expressed concern about the spatial application of RLZ, opposing the zoning of land north of Te Kuiti to RLZ on the eastern side of the river as well the rezoning on any other areas that could affect biodiversity and highly productive land. WRC opposed the rezoning of land subject to natural hazards, including flood risk and recommended that Council assesses all proposed areas to be rezoned for development against the provisions in the Regional Policy Statement, the New Zealand Coastal Policy Statement, the National Policy Statement for Urban Development, the National Policy Statement for Highly Productive Land and the National Policy Statement for Indigenous Biodiversity and amend the proposed areas accordingly.
8. Starting with the issue of natural hazards, the planning evidence from Ms Knott and Mr Cifuentes expressed concern that the proposed RLZ area north of Te Kuiti on the eastern side of the river enables residential uses when it is subject to natural hazards. They made the point that the proposed zoning is within the Building Platform Suitability Area C overlay and the High Risk Flood Zone overlay which suggests it may not be an appropriate site for residential development. They pointed to various provisions in the Waikato Regional Policy Statement (WRPS) such as APP1(h) which states that new development should be directed away from identified natural hazards.
9. The discussions at the hearing focused largely on the management of natural hazards and whether areas should be rezoned when it is known that parts of the land proposed for rezoning may be subject to natural hazards.
10. The Panel asked Ms Wratt about the issue. It was her position that the natural hazards in the RLZ can be managed. She noted that the natural hazards do not cover all of the RLZ area. She considered that just because it has some natural hazards, does not mean it should not be zoned as there is a number of ways in which the hazard can be managed. She considered that the subdivision consent process is the most appropriate process to undertake more detailed assessment of the natural hazards, and that the development proposed can then respond to those natural hazards. Common responses include limiting the number of lots and careful placement of residential dwellings to be outside the natural hazards. In addition, the Natural hazards chapter of the Proposed District Plan (PDP) contains provisions to manage activities in natural hazard overlays and this gives effect to the WRPS.
11. Mr Cifuentes had a different view and questioned how much risk the Council is willing to take given that the hazard exists. He considered that the WRC approach needs to be based on the risk in the RPS. He considered there was insufficient information to understand the risk of each natural hazard, and would support the risks being categorised as high, medium, low and then respond correspondingly.
12. Mr Liefting had a different view and supported providing information or “red flags” to signal to developers that certain areas need particular treatment. He saw the natural hazard overlays as a signal that an area needs further investigation. He

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<sup>1</sup> 16 July 2024

considered understanding risk could be addressed at four stages: structure plans, zoning, subdivision and construction.

13. The Panel explored other mechanisms that manage risk and asked Mr Liefing whether the Building Act fills the gap where a building is permitted but may be subject to a natural hazard. While he acknowledged he is not a building consent expert, Mr Liefing thought that the building consent process does address this and used the building platform as an example. Mr Liefing observed that the PDP subdivision provisions use a 1% AEP whereas the Building Act uses a 2% AEP so there are inconsistencies between the PDP and the building consent process.
14. The other issue raised in the evidence of WRC was the location of RLZ on highly productive land. Mr Cifuentes noted that WRC did not have time to make the in-depth analysis required as to whether the land met the tests in Clause 3.10 of the NPS-HPL and whether there was a real need for the land.
15. As noted in the s42A report for RLZ<sup>2</sup>, the PDP was notified on 20 October 2022, which was three days after the National Policy Statement for Highly Productive Land (NPS-HPL) was gazetted.<sup>3</sup> Section 75(3)(a) of the Resource Management Act (RMA) requires district plans to give effect to any national policy statement.
16. The submission from WRC specifically references the RLZ north of Te Kuiti, which does have a section of LUC3 on both sides of Te Kumi Road. However, the submission also referred to any location of RLZ that contains highly productive land. The five areas where RLZ intersects with highly productive land can be summarised as following:

Location	Operative District Plan zoning	Reason for zoning as RLZ
Northern edge of Te Kuiti	Rural Zone	The western side of State Highway 3 was identified for rural residential in the Town Concept Plan for Te Kuiti.  Landholding is in the same ownership as the site on the western other side of the road, and performs a gateway role.
Oparure Road, north-west of Te Kuiti	Rural Zone	Recognises an existing settlement and community built around the Marae and school. Existing land uses and development is rural lifestyle form already.
Mangarino Road, north east of Te Kuiti	Rural Zone	Identified in the Town Concept Plan for Te Kuiti as rural residential.  Recognises the existing rural residential development around Reynolds Road.
Mokau	Rural Zone	Rezoning identified in the Town Centre Concept Plan for Mokau
Marokopa	Residential Zone	More appropriate for the existing form of development

<sup>2</sup> Section 42A Report for Rural lifestyle zone, Carolyn Wratt, 7 June 2024, paragraph 50.

<sup>3</sup> The policy was gazetted on Monday 19 September 2022 and was in effect from Monday 17 October 2022.

17. Of the five areas listed above, Marokopa is effectively a down-zoning from Residential Zone to RLZ so the NPS-HPL does not apply as it already is an urban zone.
18. On 12 November 2024, WRC and Council staff met to discuss the four areas where land use capability class 3 (LUC 3) and the proposed RLZ intersected. These are:
  - a. **Gadsby/Te Kumi Roads, northern Te Kūiti**
  - b. Oparure Road, north-**west of Te Kūiti**
  - c. Mangarino Road, north-**east of Te Kūiti**
  - d. Te Mahoe Road, Mokau
19. Ms Wratt undertook a detailed analysis of the sites against the NPS-HPL in both the s42A report<sup>4</sup> and in a subsequent memorandum which outlined the options.<sup>5</sup> The options identified were:
  - a. Option 1: Maintain the notified PDP zoning

This would have the effect of maintaining the rezoning of the RLZ irrespective of the presence of highly productive land. This option would not give effect to the NPS-HPL as required by section 75(3)(a) of the Resource Management Act.
  - b. Option 2: Assess the four areas against the criteria in clause 3.10 of the NPS-HPL

If the parcels satisfy the requirements of Clause 3.10 of the NPS-HPL, this would allow them to be rezoned as RLZ. There would be costs associated with this as it requires specialist analysis by an agri-economist. There is the added uncertainty of whether the NPS-HPL will retain LUC 3 as highly productive land.
  - c. Option 3: Revert the LUC 3 areas to General rural zone

This would result in split zones for the parcels that have LUC 3 whereby the extent of the LUC 3 reverts to GRUZ. For the larger areas of LUC 3, this would result in removing the RLZ from the eastern side of Te Kumi Road and the full RLZ on Mangarino Road. This option would give effect to the NPS-HPL.
  - d. Option 4: Hybrid approach whereby the larger sections of LUC 3 revert to General rural zone

This is a hybrid approach whereby the smaller fragments of LUC 3 remain as RLZ. This would apply to the western side of Te Kumi Road, the river boundary at Oparure and the northern portions of Mokau. However given the extent of LUC3, the eastern side of Te Kumi Road and the full RLZ on Mangarino Road would revert to GRUZ. This approach would partially give effect to the NPS-HPL.

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<sup>4</sup> Section 42A Report for Rural lifestyle zone, Carolyn Wratt, 7 June 2024, paragraphs 52-59.

<sup>5</sup> Memorandum to the Panel: Rezoning of land and the National Policy Statement for Highly Productive Land, Carolyn Wratt, 30 October 2024.

20. After working through each of the areas together, WRC and WDC collectively recommended a pattern of zoning which is described below.

**Gadsby/Te Kumi Roads, Northern Te Kūiti**

21. Three small areas of the proposed RLZ contain LUC 3 land. The two areas of LUC 3 on the western side of Te Kumi Road (State Highway 3) were identified in the **Town Concept Plan for Te Kūiti as rural residential in 2018. This plan was formally adopted by Council and is therefore recognised as a growth strategy.** The plan did not identify the eastern side of Te Kumi Road, and accordingly the RLZ on the eastern side of SH3 is recommended to be rezoned to General rural zone.

**Oparure Road, north-west of Te Kūiti**

22. Pockets of the proposed RLZ located adjacent to the river contain LUC 3 land. Although this area was included in the draft district plan as RLZ before the NPS-HPL, it was not adopted as part of a council growth strategy. Highly productive land is located closest to the Mangapu River. Accordingly, the RLZ on the southern side of Oparure Road is recommended to be rezoned to General rural zone, apart from a diamond shaped area roughly opposite Oparure Marae which has no highly productive land.

**Mangarino Road, north-east of Te Kūiti**

23. The majority of the proposed RLZ around Reynolds Road is LUC 3. This area was **identified in the Town Concept Plan for Te Kūiti as rural residential in 2018. This plan was formally adopted by Council and is therefore recognised as a growth strategy.** The plan did not recognise the existing rural residential development around Reynolds Road, finishing slightly north of Zobel Road.



Figure 1: Mangarino Road, Te Kūiti Town Concept Plan

24. This Town Concept Plan was formally adopted by Council and is therefore recognised as a growth strategy. As such, it is recommended that the RLZ areas identified in Figure 1 above retain the RLZ zoning.
25. The plan did not identify the RLZ around Reynolds Road however, and therefore it is recommended that the RLZ around and opposite Reynolds Road be rezoned to General rural zone.

#### Te Mahoe Road, Mokau

26. Three small pockets of the proposed RLZ contain LUC 3 along Te Mahoe Road in Mokau. This was identified in the Mokau Town Concept Plan as both RLZ and future urban zoning in 2018. This plan was formally adopted by Council and is therefore recognised as a growth strategy. As such, it is recommended that all of the areas are able to retain their notified zoning.



Figure 2: Notified zoning recommended to remain

## 4. Panel decision

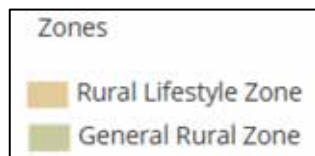
#### Natural Hazards

27. The Panel considered two different options with respect to rezoning land that was potentially subject to natural hazards.
28. One option is to retain a General rural zone and prevent further development on the basis of the potential presence of natural hazards. Another option is to enable rezoning and allow the extent and significance of natural hazards to be identified and addressed through the subdivision process; and whether any risks, and adverse effects, could be addressed. The subdivision process and subsequent development could then respond to the natural hazard through measures such as engineering design solutions, identified building platforms, lot layout and/or reducing the number of lots.
29. The Panel prefers the second option which allows a more detailed analysis of the natural hazard and comprehensive management of development through the provisions in the Natural Hazards chapter.
30. The Panel notes that one of the matters of discretion for a subdivision in the RLZ that complies with the minimum lot size is:
- (e) Site suitability (including liquefaction risk) and the potential for the subdivision and consequential development to create new or exacerbate existing natural hazards;

31. In addition, NH-R12 classifies additions to an existing building, or construction of all other buildings as a discretionary activity which is an additional level of control.
32. The Panel is mindful of the provisions in the WRPS, such as HAZ-O1 Natural hazards, HAZ-P1 Natural hazard risk management approach and HAZ-P2 Manage activities to reduce the risks from natural hazards. These WRPS objectives, policies and the suite of methods that accompany them all seek to manage subdivision, use and development so that the risk is tolerable or acceptable. The WRPS does not seek to avoid rezoning where a natural hazard risk may be present.
33. The Panel therefore considers that there is no need to downzone RLZ areas on the basis of the presence of a natural hazard overlay. The Panel consider that the subdivision process is the most appropriate process for further refining and understanding the natural hazard risk. The natural hazard provisions in the PDP will also work in tandem to ensure that future development manages the risk of natural hazards to an acceptable level in accordance with the WRPS. The spatial extent of the RLZ recognises the form and density of development that already exists, but allows any future development to respond to the natural hazards that exist rather than 'sterilising' the whole area through a more restrictive zoning.

#### Highly Productive Land

34. The Panel is aware that most of the RLZ areas were identified prior to 2019 for rural residential development in the Town Concept Plans and draft PDP. There are various reasons for the rezoning, but mostly it is to recognise the existing form of development. Many of the information requirements listed in clause 3.10 of the NPS-HPL informed (in a less formal way) the identification of this land as RLZ.
35. Notwithstanding the robust analytical requirements of clause 3.10 of the NPS-HPL, the Panel considers that the approach agreed by WRC and Council<sup>6</sup> is appropriate. This means that RLZ located on highly productive land and not identified as rural residential in a Town Concept Plan is reverted to General rural zone as follows:



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<sup>6</sup> Memorandum to the Hearings Panel: Rezoning of land and the National Policy Statement for Highly Productive Land, Alex Bell, 20 November 2024.



Figure 3: Zoning as notified



Figure 4: Decision

**Gadsby/Te Kumi Roads, Northern Te Kūiti**



Figure 5: Zoning as notified



Figure 6: Decision

**Oparure Road, north-west of Te Kūiti**



Figure 7: Zoning as notified

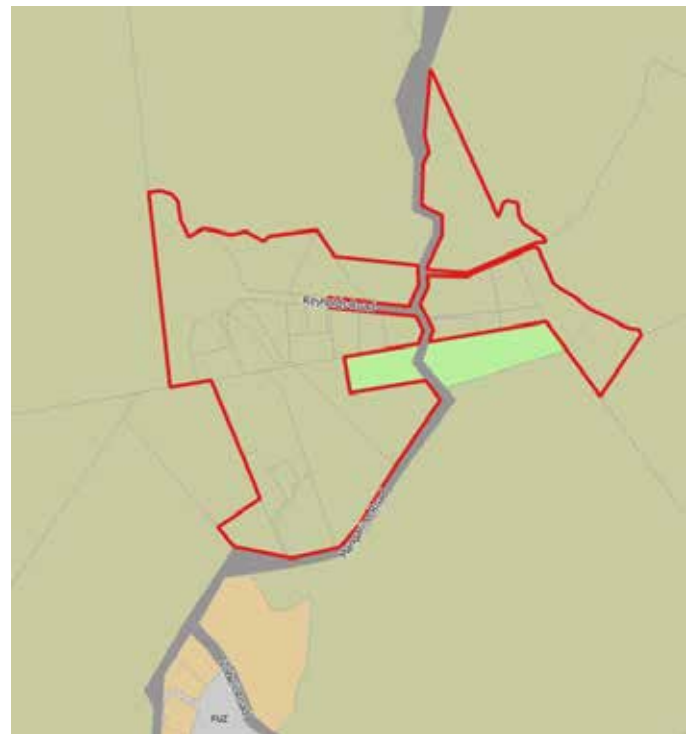


Figure 8: Decision

Mangarino Road, north-**east of Te Kūiti**

36. The Panel consider this will give effect to the NPS-HPL by removing RLZ from LUC3 land.
37. As the RLZ in Te Mahoe was identified in the Mokau Town Concept Plan, the Panel consider it should retain its RLZ as notified.
38. For all other matters concerned with the RLZ 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

39. 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.
40. Overall, the Panel is satisfied that the provisions of the chapter, as amended, will provide a suitable framework for managing the ongoing use and development of RLZ, whilst managing any adverse effects.
41. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

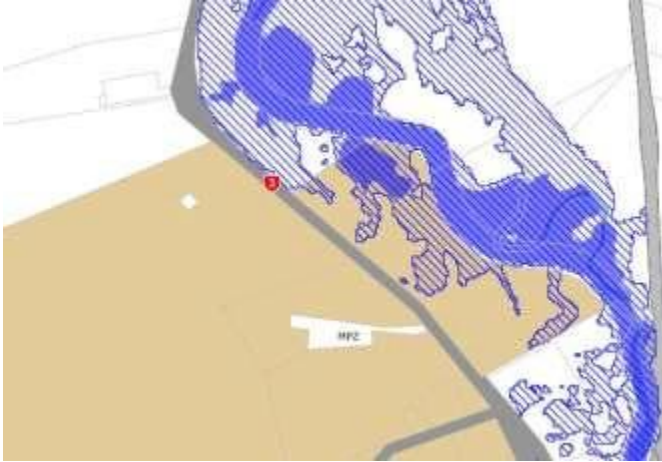
A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair

Dated: 19 June 2025

## 6. Appendix 1 – Submission Table

## RURAL LIFESTYLE ZONE

Sub missi on	Submitte r	Suppo rt / in part / oppose	Plan section	Plan provision	Relief sought	Accept Accept in part Reject
10.145	WRC	Oppose	44. Rural lifestyle zone	General comment	<p>Do not rezone the proposed area north of Te Kuiti on the eastern side of the river. to rural lifestyle zone and do not rezone any other area that could represent potential losses of biodiversity and highly productive land as rural lifestyle zone</p> 	Accept in part
FS03.5 4	Director- General of Conservati	Support			Allow	Accept in part
16.48	FENZ	Support	44. Rural lifestyle zone	RLZ-O5	Retain as notified.	Accept
16.49	FENZ	Oppose	44. Rural lifestyle zone	RLZ-P14	<p>Add as follows:</p> <p>RLZ-P14. Where reticulated <u>water</u>, wastewater and stormwater networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non-reticulated <u>water</u>, wastewater and stormwater methods.</p>	Accept

16.50	FENZ	Support in part	44. Rural lifestyle zone	RLZ-P18	Add as follows:  RLZ-P18. Provide for non-residential activities only where these provide for the health, <u>safety</u> and well-being of the community and support an identified local need.	Accept
16.51	FENZ	Support	44. Rural lifestyle zone	RLZ-P22	Retain as notified.	Accept
16.52	FENZ	Oppose	44. Rural lifestyle zone	RLZ - Table Activities Rules	Add new activity: <u>RLZ-Rx Emergency service facilities</u>  <u>Activity status: PER</u>	Accept
16.53	FENZ	Oppose	44. Rural lifestyle zone	RLZ-R18	Add as follows:  <u>3. Provided emergency service facilities are exempt from this rule.</u>	Accept
16.54	FENZ	Oppose	44. Rural lifestyle zone	RLZ-R26	Amend as follows:  RLZ-R26. Maximum <u>building size and</u> building coverage  1. For sites equal to or less than 2500 m <sup>2</sup> the maximum amount of a site which can be covered by buildings is 25%; <u>and or</u>  2. 500m <sup>2</sup> total gross floor area, whichever is greater.  2. For all other sites the maximum amount of a site which can be covered by buildings is 20%.	Reject
16.55	FENZ	Support	44. Rural lifestyle zone	RLZ-R27	Retain as notified.	Accept

17.128	Waka Kotahi	Support in part	44. Rural lifestyle zone	RLZ-P15	Amend RLZ-P15 as follows: <b>Ensure traffic generated by new development does not compromise <del>road</del> the safety or efficiency of the transport network.</b>	Accept
17.129	Waka Kotahi	Support	44. Rural lifestyle zone	RLZ-P16	Retain as notified.	Accept
17.130	Waka Kotahi	Support in part	44. Rural lifestyle zone	RLZ-R18 and RLZ-R21	Amend RLZ-R18 and RLZ-R21 as follows: Where the activity is RDIS, the matters over which discretion is restricted are: <del>Parking, manoeuvring and access.</del> <b>Safety and efficiency of the transport network</b> , including the provision of sufficient off-street parking and the effects of traffic generation; and	Accept
17.131	Waka Kotahi	Oppose	44. Rural lifestyle zone	RLZ-R25	<b>Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.</b>	Accept in part
24.50	MoE	Amend	44. Rural lifestyle zone	New	Add the following new objective to the Rural lifestyle zone:  <u>RLZ – OX</u> <u>Avoid the establishment of non-rural lifestyle activities unless they provide additional infrastructure that supports the social and economic wellbeing of the local community and support an identified local need.</u>  And  Any consequential amendments required to give effect to the matters raised in this submission.	Reject

24.51	MoE	Support with amendm ent	44. Rural lifestyle zone	RLZ-P18	<p>Amend RLZ-P18 as follows:</p> <p>Provide for non-residential activities <u>including additional infrastructure</u> only where these provide for <u>the health and social and economic</u> wellbeing of the community and support an identified local need.</p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Accept in part
24.52	MoE	Support with amendm ent	44. Rural lifestyle zone	RLZ-R10	<p>Amend RLZ-R10 as follows:</p> <p>RLZ-R10 <del>Educational facilities and e</del></p> <p><u>Community facilities</u> Activity</p> <p>status: DIS</p> <p>Activity status where compliance is not</p> <p>achieved: N/A And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject

24.53	MoE	Amend	44. Rural lifestyle zone	New	<p>Add a new rule to the Rural lifestyle zone as follows:</p> <p>RLZ – RXX</p> <p>Educational facilities</p> <p>Activity status:RDIS</p> <p>Matters over which discretion is restricted:</p> <p><u>a.The effect on surrounding properties, rural character and amenity; and</u></p> <p><u>b.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>c.The effects associated with layout, design and location of the activity, including operating hours; and</u></p> <p><u>d.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><u>e.Provision of on-site infrastructure; and</u></p> <p><u>f.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>	Reject
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26.01	Waitomo District Council (WDC)	New	44. Rural lifestyle zone	New Rule	<p>Add the following new rule in the Rural lifestyle zone: <u>Housing and keeping of animals</u></p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li><u>The number of poultry must not exceed 5 per site and must not include any roosters; and</u></li> <li><u>Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</u></li> <li><u>A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000m<sup>2</sup> and</u> <ol style="list-style-type: none"> <li><u>The site is not adjacent to an educational facility or a community facility; and</u></li> <li><u>The beehive(s) are located at least 5m from any site boundary.</u></li> </ol> </li> </ol> <p><u>Activity status where compliance is not achieved: DIS</u></p>	Accept
FS05.4 4	Federated Farmers	Oppose			Decline the relief sought	Reject
27.79	Hort NZ	Support	44. Rural lifestyle zone	RLZ – R23	Retain RLZ-R23 as notified.	Accept
38.98	TTRMC	Support	44. Rural lifestyle zone	RLZ-O9	Retain RLZ-O9 as notified.	Accept

FS20.1 27	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
38.99	TTRMC	Support	44. Rural lifestyle zone	RLZ-P9.4	Retain RLZ-P9.4 as notified.	Accept
FS20.1 28	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
38.100	TTRMC	Support	44. Rural lifestyle zone	RLZ-R7	Retain RLZ-R7 as notified.	Accept
FS20.1 29	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
46.109	FF	Support	44. Rural lifestyle zone	RLZ-O1	Retain RLZ-O1 as notified or with wording to similar effect. And  Any consequential amendments required as a result of the relief sought.	Accept

46.110	FF	Support	44. Rural lifestyle zone	RLZ-O3	Retain RLZ-O3 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.111	FF	Support	44. Rural lifestyle zone	RLZ-O4	Retain RLZ-O4 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.112	FF	Support	44. Rural lifestyle zone	RLZ-O5	Retain RLZ-O5 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.113	FF	Support	44. Rural lifestyle zone	RLZ-O6	Retain RLZ-O6 as notified or with wording to similar effect.  And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.114	FF	Support	44. Rural lifestyle zone	RLZ-O7	Retain RLZ-O7 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.115	FF	Support	44. Rural lifestyle zone	RLZ-P1	Retain RLZ-P1 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept

46.116	FF	Support	44. Rural lifestyle zone	RLZ-P2	Retain RLZ-P2 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.117	FF	Support	44. Rural lifestyle zone	RLZ-P3	Retain RLZ-P3 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.118	FF	Support	44. Rural lifestyle zone	RLZ-P4	Retain RLZ-P4 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.119	FF	Support	44. Rural lifestyle zone	RLZ-P5	Retain RLZ-P5 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.120	FF	Support	44. Rural lifestyle zone	RLZ-P10	Retain RLZ-P10 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept
46.121	FF	Support	44. Rural lifestyle zone	RLZ-P22	Retain RLZ-P22 as notified or with wording to similar effect. And  <b>Any consequential amendments required as a result of the relief sought.</b>	Accept

47.178	F&B	Support with amendm ent	44. Rural lifestyle zone	Overview	<p>Amend the overview of the Rural lifestyle zone as follows:</p> <p>Additional provisions in Part 2 of this plan apply to development in these areas to enhance landscape values, protect indigenous vegetation and <u>the habitats of indigenous fauna</u>, and to manage the visual effects of development.</p> <p>And</p> <p><b>Any consequential changes or alternative relief to achieve the relief sought.</b></p>	Accept
FS05.1 25	Federated Farmers	Oppose			Decline the relief sought	Reject
47.179	F&B	Support with amendm ent	44. Rural lifestyle zone	RLZ-O1	<p>Amend RLZ-O1 as follows:</p> <p>Maintain and enhance the key aspects of the <b>district's</b> rural character, <u>indigenous biodiversity</u>, and visual amenity values while enabling rural living opportunities.</p> <p>And</p> <p><b>Any consequential changes or alternative relief to achieve the relief sought.</b></p>	Reject
FS05.1 26	Federated Farmers	Oppose			Decline the relief sought	Accept
47.180	F&B	Support with amendm ent	44. Rural lifestyle zone	RLZ-P4	<p>Amend RLZ-P4 as follows:</p> <p>Manage any activities that are located near scheduled features <u>or significant natural areas identified after the schedule was published</u> so that they do not diminish the qualities and values of these features.</p> <p>And</p> <p><b>Any consequential changes or alternative relief to achieve the relief sought.</b></p>	

FS05.1 27	Federated Farmers	Oppose			Decline the relief sought	
50.28	TNN	Support	44. Rural lifestyle zone	RLZ-O9. RLZ- P9.4. RLZ- R7.	Retain the following provisions in the Rural lifestyle zone: RLZ-O9. RLZ-P9.4. RLZ-R7.	<b>Accept</b>
FS20.2 26	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	<b>Accept</b>

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

# Rural Lifestyle Zone | Te Rohe Noho Whenua

## Overview

The rural lifestyle zone provides residential living opportunities in a semi-rural environment on the periphery of urban areas and in specific locations around the district. The zones are focused around existing towns and settlements that have been identified as areas where demand for rural lifestyle development is existing or anticipated in the future. Generally, rural lifestyle zones are un-serviced with a lack of urban infrastructure such as reticulated water and wastewater systems, street lighting, footpaths, and curb and channel road edging. The predominant use of this zone is rural lifestyle rather than residential and as such, agricultural, horticultural and pastoral farming activities are enabled. This plan directs commercial, industrial and retail activities to their respective zones and as such, it is not envisaged that these activities will locate within this zone.

As the zone is predominantly low density rural lifestyle in nature, a minimum allotment size of 2500 m<sup>2</sup> is necessary to maintain the rural character. In some areas, the zone provides a buffer edge between townships and the surrounding rural landscapes. In these places, the zone is designed to support the values and character of Te Kūiti and Mokau as identified in the relevant Town Concept Plans.

While residential development is anticipated in this zone, the risks of natural hazards, particularly land instability and coastal erosion, must be recognised and managed at the time of subdivision or when identifying building platforms. This plan provides provisions to manage natural hazards during these processes. Some rural lifestyle zones are located within or adjacent to scheduled features. Additional provisions in Part 2 of this plan apply to development in these areas to enhance landscape values, protect indigenous vegetation and the habitats of indigenous fauna and to manage the visual effects of development.

## Objectives

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

- RLZ-O1. Maintain and enhance the key aspects of the **district's rural character and visual amenity** values while enabling rural living opportunities.
- RLZ-O2. Ensure maintenance and enhancement of amenity values in recognition of the **zone's** lower intensity, rural lifestyle character.
- RLZ-O3. Recognise that rural lifestyle development is the final form of development in this zone and higher density residential development is not anticipated.
- RLZ-O4. Minimise the potential for sensitive activities to conflict with existing and anticipated farming activities and established rural production zones.
- RLZ-O5. Ensure sites are appropriately serviced. Where new development or redevelopment requires planned infrastructure provision, ensure it does not exceed available capacities.

- RLZ-O6. Restrict the establishment of commercial and industrial activities except where there is a functional and compelling need for an activity to locate in the zone.
- RLZ-O7. Ensure new development is designed and located to manage significant risks from natural hazards.
- RLZ-O8. Ensure that the key moves in the relevant Town Concept Plans have been considered and appropriately provided for.
- RLZ-O9. Enable mana whenua to express their cultural traditions and values through the provision of marae and **hapū**-focused, papakāinga housing developments.

## Policies

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

- RLZ-P1. Buildings and activities are designed, located, scaled and serviced in a manner that does not detract from the natural and/or rural lifestyle character of the area.
- RLZ-P2. Ensure buildings and activities retain generous levels of open space, connection to the natural landscape and spacious low-density rural lifestyle development.
- RLZ-P3. Manage any activities that are located near scheduled features so that they do not diminish the qualities and values of these features.
- RLZ-P4. Employ minimum site size, height, building coverage, and bulk and location controls as the primary means of retaining the lower density, open character of the zone and ensuring maintenance of amenity values in respect of privacy, access to sunlight, overshadowing and impacts arising from building dominance.
- RLZ-P5. Activities should be undertaken in a manner that maintains the low ambient noise and vibration environment that is consistent with the amenity expectations of the zone.
- RLZ-P6. Adequate assessment of the natural hazard risk, particular land instability and coastal hazards, must be undertaken prior to the establishment of new development. Some areas may not be appropriate for residential activity if the natural hazard risk cannot be appropriately managed.
- RLZ-P7. Development in Mokau and Marokopa must:
  - 1. Be sympathetic to the coastal environment and respect the environmental, physical and topographical constraints of the area; and
  - 2. Provide and protect access to the coast and river margins; and
  - 3. Make adequate provision for wastewater and stormwater management (through density provisions) and minimise development in areas subject to coastal hazards.
- RLZ-P8. Development in **Te Kūiti** must:
  - 1. Provide a good level of amenity and ensure that activities which occur in these areas are compatible with rural lifestyle use; and
  - 2. Minimise development in areas subject to land instability issues; and

3. Maintain the low density character and green space which provides a backdrop to the township.

RLZ-P9. Development in Oparure and Fullerton Road must:

1. Ensure that the above ground environment is managed so as not to adversely impact the underground karst systems that support native flora and fauna; and
2. Provide a balance between preserving the naturalness of an area and making it a safe place to live by considering measures such as low lux lighting and green infrastructure solutions; and
3. Situate vehicle access points to maximise sightlines so as to avoid adverse effects on the safe and efficient operation of the road network; and
4. Enable papakāinga housing developments, particularly where these are in close proximity to marae complex and/or are consistent with the key **elements of the rural lifestyle zone's amenity and character.**

RLZ-P10. Provide for a range of farming activities where the best practicable option to minimise adverse effects such as odour, noise, dust and traffic generation are adopted.

RLZ-P11. Manage the proximity, type and location of buildings housing animals to a level that is compatible with the amenity expectations of the zone.

RLZ-P12. Protect the ongoing operation and development of existing sites of intensive indoor primary production and sites identified as regionally significant in [RPROZ-SCHED1 – Scheduled rural production sites](#), by managing the location of sensitive activities on surrounding sites.

RLZ-P13. Where reticulated wastewater and stormwater networks are available, discourage development that requires servicing and infrastructure at an adverse cost to the community.

RLZ-P14. Where reticulated water, wastewater and stormwater networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non-reticulated water, wastewater and stormwater methods.

RLZ-P15. Ensure traffic generated by new development does not compromise the safety or efficiency of the transport network.

RLZ-P16. Require new noise sensitive activities located in close proximity to railway lines and State Highways to install acoustic treatment.

RLZ-P17. Discourage non-residential activities, so that the amenity, quality and character of the zone is not diminished, and the vitality of the **district's commercial zones** is not undermined.

RLZ-P18. Provide for non-residential activities only where these provide for the health, safety and social well-being of the community and support an identified local need.

- RLZ-P19. Provide for home businesses where these are of a nature, scale and location that does not adversely affect adjoining properties or the rural lifestyle character of the area.
- RLZ-P20. Enable visitor accommodation only where the scale and design enhances zone amenity, quality and character, and where site specific issues including servicing and transport related effects are appropriately addressed.
- RLZ-P21. Minimise the potential for residential based visitor accommodation to generate adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.
- RLZ-P22. Where there is a demonstrated functional and operational need for a non-residential activity to locate within the zone, ensure the bulk, design, scale and intensity of buildings maintains local rural lifestyle character, provides on-site parking and vehicle manoeuvring areas and mitigates adverse effects related to traffic generation, access, noise, vibration and light spill.
- RLZ-P23. 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 lifestyle zone are in contained the tables listed below. To undertake any activity, it must comply with the rules listed in:

- RLZ - Table 1 - Activities Rules; and
- RLZ - 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.

RLZ - Table 1 – Activities Rules

RLZ-R1.	Residential units, minor residential units
RLZ-R2.	Residential based visitor accommodation
RLZ-R3.	Visitor accommodation
RLZ-R4.	Accessory buildings ancillary to any permitted activity
RLZ-R5.	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 RLZ - Table 2 are complied with.</p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, also see the <a href="#">historic heritage chapter</a>.</i></p>	
<p>Activity status where compliance is not achieved with RLZ-S1 to RLZ-S8: RDIS</p> <p>The matters over which discretion is restricted are:</p> <p>The matters of discretion associated with any performance standard which cannot be complied with in RLZ - Table 2.</p> <p>Activity status where compliance is not achieved with RLZ-S9 to RLZ-S10: DIS</p>	
RLZ-R6.	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 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 rural lifestyle zone these activities are industrial activities.</p>	
<p>Activity status where compliance is not achieved: DIS</p>	

RLZ-R7.	Marae complex and/or papakāinga housing development	
Activity Status: PER Where: 1. All of the performance standards in RLZ - Table 2 are complied with.		Activity status where compliance is not achieved: DIS
RLZ-R8.	Agricultural, pastoral and horticultural activities	
Activity Status: PER Where: 1. Agricultural, pastoral and horticultural activities and stock underpasses are permitted except for rural airstrips and farm helipads.		Activity status where compliance is not achieved: DIS
Activity Status: DIS Where: 2. Rural airstrips and farm helipads.		Activity status where compliance is not achieved: N/A
RLZ-R9.	Demolition and/or removal of buildings and structures	
Activity status: PER <i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, see the <a href="#">historic heritage chapter</a>.</i>		Activity status where compliance is not achieved: N/A
RLZ-R10.	Housing and keeping of animals	
Activity status: PER <b>Where:</b> 1. The number of poultry must not exceed 5 per site and must not include any roosters; and 2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and 3. A maximum of two beehives are permitted per site only where ; i. the net site area is equal to or greater than 1000m <sup>2</sup> and ii. The site is not adjacent to an educational facility or a community facility; and iii. The beehive(s) are located at least 5m from any site boundary.		Activity status where compliance is not achieved: DIS

RLZ-R11	Emergency service facilities	
Activity status: RDIS The performance standards in RLZ - Table 2 do not apply.	Matters over which discretion is restricted are: (a) Visual effects including bulk, scale and location of the building; and (b) Noise generation; and (c) Effects on the safety and efficiency of the transport network; and (d) Effects on surrounding properties, rural lifestyle character and amenity.	
RLZ-R12.	Educational facilities and community facilities	
RLZ-R13.	Boarding houses and retirement villages	
RLZ-R14.	Creation of new entrances into caves, structures within caves or other modifications to cave features	
RLZ-R15.	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	
RLZ-R16.	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	
Activity status: DIS	Activity status where compliance is not achieved: N/A	
RLZ-R17.	Activities not otherwise listed in RLZ - Table 1	
Activity status: NC	Activity status where compliance is not achieved: N/A	
RLZ-R18.	Fortified sites	
RLZ-R19.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps	
Activity status: PR	Activity status where compliance is not achieved: N/A	

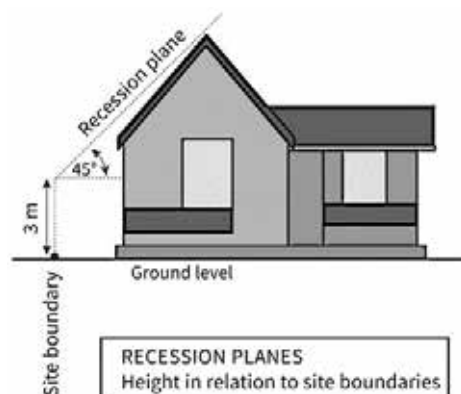
RLZ - Table 2 - Performance Standards

RLZ-S1.	Minimum setback from road boundaries	
1. The minimum setback from road boundaries for any building adjacent to any district road must be at least 10 m; and	Matters over which discretion is restricted: (a) Visual effects including bulk, scale and location of the building; and	

<p>2. The minimum setback from road boundaries for any building adjacent to any designated State Highway must be 15 m.</p> <p><i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</i></p>	<p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, rural lifestyle character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby rural lifestyle 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) Safety and efficiency of the transport network, including the provision of sufficient off-street parking and the effects of traffic generation.</p>
RLZ-S2.	Minimum <b>setback</b> 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 m<sup>2</sup> or less; or</p> <p>(ii) 5 m on sites 1,501 m<sup>2</sup> or greater; and</p> <p>(iii) 10 m where a site boundary adjoins another zone;</p> <p>AND</p> <p>2. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and</p> <p>3. Kennels housing more than 10 dogs must be setback 10 m from internal site boundaries.</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>
RLZ-S3.	<b>Height</b> and <b>height in relation to boundary</b>
<p>1. Structures must not exceed 8 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 - RLZ 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, privacy, rural lifestyle character and amenity; and</p> <p>(d) Ability to soften the visual impact of the structure or materials from nearby rural lifestyle properties and adjoining road boundaries, including retention</p>

	<p>of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities.</p>
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Figure - RLZ 1 - Height in relation to boundary



RLZ-S4.	Maximum number of residential units or papakāinga units
<p>The maximum number of buildings per site is:</p> <ol style="list-style-type: none"> <li>One residential unit per 2500 m<sup>2</sup> of net site area, except sites less than 2500 m<sup>2</sup> existing on 20 October 2022 may erect one residential unit on the site; and</li> <li>Either one minor residential unit with a maximum gross floor area of 70 m<sup>2</sup> excluding garaging per site;</li> </ol> <p>OR</p> <ol style="list-style-type: none"> <li>Papakāinga housing developments of no more than 6 papakāinga 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.</li> </ol>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>Visual effects including bulk, scale and location of the building(s); and</li> <li>Effects on surrounding properties, rural lifestyle character and amenity; and</li> <li>Safety and efficiency of the transport network, including the provision of sufficient off-street parking and the effects of traffic generation; and</li> <li>Ability to soften the visual impact of the building from nearby rural lifestyle properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</li> <li>Potential reverse sensitivity effects on any adjoining activities; and</li> <li>Site suitability, layout and provision of on-site infrastructure; and</li> <li>Proximity to farm buildings and farm effluent storage facilities; and</li> <li>Justification for the additional residential or minor residential unit.</li> </ol>
RLZ-S5.	Setbacks - specified farm buildings and new buildings housing a residential activity
<ol style="list-style-type: none"> <li>For any wool (shearing) shed or milking shed and ancillary yards, feed lot or feed pad, or similar building or enclosure (excluding paddocks) which</li> </ol>	<p>Matters over which discretion is restricted:</p>

<p>is 100 m<sup>2</sup> 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 adjoining site – whichever is the greater;</p> <p>AND</p> <p>2. The minimum setback for a new building housing a residential activity must be 50 m from any existing specified farm structure listed in RLZ-S5.1 on an adjacent site; and</p> <p>3. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding.</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/building 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 building 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>
RLZ-S6.	Minimum <b>setback</b> from the boundary of a rural production zone or the boundary of an established <b>site</b> of <b>intensive indoor primary production</b>
<p>1. The minimum setback for a building housing a residential activity from the boundary of a rural production zone must be 200 m; and</p> <p>2. As measured from the perimeter of the external walls of the buildings housing animals 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; and</p> <p>(b) Site topography and orientation and whether the building can be more appropriately 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>
RLZ-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 or marae complex on a separate holding; and</p> <p>(ii) 30 m from the boundary of any adjacent holding;</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) Potential reverse sensitivity effects on any adjoining rural activities.</p>

<p>AND</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 or marae complex; and</p> <p>(ii) 15 m from the boundary of any adjoining holding.</p>	
RLZ-S8.	Minimum <b>setback</b> from the designation boundary of a rail corridor
Refer to TRAN-R9.	
RLZ-S9.	Maximum <b>building coverage</b>
<p>1. For sites equal to or less than 2500 m<sup>2</sup> the maximum amount of a site which can be covered by buildings is 25%; and</p> <p>2. For all other sites the maximum amount of a site which can be covered by buildings is 20%.</p>	Activity status where compliance is not achieved: DIS
RLZ-S10.	Servicing
<p>1. <b>Where a connection to the Council's reticulated</b> water supply system is not available, all developments must have an independent potable water supply for activities on the site; and</p> <p>2. <b>Where a connection to the Council's reticulated</b> wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</p> <p>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</p> <p>4. 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:</p> <p>(i) Accessible to firefighting equipment; and</p> <p>(ii) Between 6 and 90 m from any building housing a residential activity on the site; and</p> <p>(iii) Located on the site except where the specified volume or flow of water is in a</p>	Activity status where compliance is not achieved: DIS

- water body that is within the required distances; and
- (iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.

*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;*
- *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

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

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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.*

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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.*

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## 8. Appendix 3 – Section 32AA Evaluation

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.

This section 32AA evaluation relates to the rezoning of RLZ in the following areas to General rural zone:

- a. **Gadsby/Te Kumi Roads, Northern Te Kūiti;**
- b. **Oparure Road, north-west of Te Kūiti; and**
- c. **Mangarino Road, north-east of Te Kūiti.**

In accordance with the requirements of section 32, the tests for objectives are different from provisions.

### Appropriateness of Objectives

The objective of the proposal is to ensure that the zoning pattern gives effect to the NPS-HPL, and avoids the ongoing, incremental loss of highly productive land, primarily from urban rezoning and land fragmentation arising from rural lifestyle development.

Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	The retention of the three areas listed as GRUZ will safeguard the life supporting capacity of soils in accordance with s5(2)(b), given that they are LUC3 and classed as highly productive land by the NPS-HPL. Retaining them as GRUZ will sustain the potential of the soil as a natural and physical resource, allowing productive use of the land to continue. This will help meet the needs of future generations in accordance with s5(2)(a)
Section 7 Other matters	<p>7(b) – the efficient use and development of natural and physical resources</p> <p>The objective of the proposal will provide for the efficient use of the non-renewable HPL resource particularly through policies that protect HPL for land-based primary production.</p> <p>7(c) – the maintenance and enhancement of amenity values</p> <p>Retaining the land as GRUZ will retain the current amenity values.</p> <p>7(g) – any finite characteristics of natural and physical resources</p> <p>Retaining the land as GRUZ will protect the finite characteristics of high-quality soils and protect highly productive land as a productive resource.</p>

Given the strong policy direction of the NPS-HPL, retaining the three areas as GRUZ is the most appropriate way to achieve the purpose of the Act.

## Identification of Options to Achieve the Objective

The following reasonably practicable options have been identified to achieve the objective.

Option 1 – Retain the RLZ as notified for the three areas.

Option 2 – Revert the zoning of the following areas back to GRUZ:

- a. Gadsby/Te Kumi Roads, **Northern Te Kūiti**;
- b. Oparure Road, north-**west of Te Kūiti**; and
- c. Mangarino Road, north-**east of Te Kūiti**.

Option 3 – Revert the zoning of the three areas back to GRUZ, but include an overlay which allows increased development

Option 2 is the preferred option. It gives effect to the NPS-HPL in its current form by reverting zoning of LUC3 land back to GRUZ.

## Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	Inability to retire land from farming.  Missed opportunities to retire land from farming around the stream, and revegetate.	No environmental benefits are identified for this option.
Economic	Reduces the development potential for those sites.  Lowers the value of the sites.	Can retain the land for primary production.

Social	May increase the risk of reverse sensitivity effects with primary production activities next to RLZ land.	Retains the current amenity and character.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
Economic growth provided or reduced	The potential for development of the sites will be reduced, and thereby the value of the land.	
Employment opportunities	This option is unlikely to result in additional employment opportunities.	
Uncertain or insufficient information	<p>The most significant uncertainty is the <b>government’s</b> signalled changes to the NPS-HPL which is likely to result in deletion of LUC3 from being classed as highly productive land. However working with the current version of the NPS-HPL, reverting the zoning of the three areas to GRUZ gives effect to the NPS-HPL.</p> <p>On this basis, there is sufficient information to support the proposed changes.</p>	
Risk of acting or not acting	There is sufficient information to act.	
Effectiveness		
Reversion of the zoning of the three areas of land will give effect to the NPS-HPL.		
Efficiency		
The rezoning is an efficient way to give effect to the NPS-HPL.		
Summary		
Rezoning the three areas will give effect to the current version of the NPS-HPL.		