



DECISIONS ON THE PROPOSED DISTRICT PLAN

Part 4 - Residential

October 2014

PART 4

RESIDENTIAL

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1. Executive Summary

- 1.1 This decision report contains Rotorua District Hearings Committee (the Committee) decisions under Clause 10 of the First Schedule of the Resource Management Act 1991 (the 'Act') on the Residential Section contained within the Proposed Rotorua District Plan ('the Proposed Plan').
- 1.2 At its meeting on 12 December 2013 the Council resolved to give delegated authority to Councillors and Independent Commissioners to hear and make decisions on the submissions and further submissions (hereafter referred to as submissions) to the Proposed Plan. The Council formed a Hearing Committee that heard evidence on different sections of the Proposed Plan over a six month period.
- 1.3 The Committee notes that in making this decision it is limited to the submissions that have been lodged and the relief that has been requested. In considering further submissions the Council notes that these submissions can only support or oppose submissions, and cannot extend the scope of the original submission.
- 1.4 **After hearing all submitters the Committee notes that:** This report should be read alongside the strikethrough version of the Proposed Plan which shows the Committee decision in Appendix 2. Where a submission point has been accepted or accepted in part in this report, refer to Appendix 2 to confirm whether any other submission points have resulted in an amendment to that provision. If as a result of the hearings the Committee has identified the need for a minor amendment under Clause 16 of the Act this is referenced as Cl 16. In some instances amendments may have been made to provisions as a result of other hearings and decision reports.
- 1.5 A summary of the submission points addressed under each topic and the decision is attached in Appendix 1 at the end of the report.

2. Scope of Hearing

- 2.1 The hearing on the Residential Section was held on 19 and 20 May 2014. The Commissioners who sat on this Committee are listed below:
- Chairman Glenys Searancke
Commissioner Karen Hunt
Commissioner Janet Wepa
- 2.2 The section 42A Report outlined the statutory and policy context for the Hearing which included:
- Resource Management Act 1991
 - Proposed Bay of Plenty Regional Policy Statement
 - Waikato River Vision and Strategy
- 2.3 The hearing addressed residential provisions in Part 4 of the District Plan.
- 2.4 Submission points relating to the text in this chapter may have consequential effects on the other parts of the plan.
- 2.5 Section 8 of the Act requires that in exercising its functions and powers, the Council shall take into account the principles of the Treaty of Waitangi. (Te Tiriti o Waitangi)
- 2.6 Furthermore Section 6 of the Act requires that the plan shall recognise and provide for the identified matters of national importance, namely

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) The protection of historic heritage from inappropriate subdivision, use, and development:
- (g) The protection of protected customary rights.

2.7 The Council is also required under the Act to have particular regard to

- (a) Kaitiakitanga
 - (aa) The ethic of stewardship
- (b) The efficient use and development of natural and physical resources
 - (ba) The efficiency of the end use of energy
- (c) The maintenance and enhancement of amenity values
- (d) Intrinsic values of ecosystems
- (f) Maintenance and enhancement of the quality of the environment
- (g) Any finite characteristics of natural and physical resources
- (h) The protection of the habitat of trout and salmon
- (i) The effects of climate change
- (j) The benefits to be derived from the use and development of renewable energy.

2.8 The plan is also required to give effect to the Regional Policy Statements of Waikato and Bay of Plenty Regional Councils.

3. User Guide

3.1 Decisions on the submissions are presented by Chapter (the same as produced for the Section 42A reports) in order to ensure transparency. The decision reports are in the form of tables. The column headings are as follows:

- Submission/Further submission point (eg 379.64)
- Summary of the submission point
- Submitter position (whether the submission opposes, accepts or supports in part the provision)
- Decision (whether the Committee accepts, accepts in part, rejects the submission)
- Reason (the explanation for the Committee's decision)

3.2 In some cases the reasons are contained in the table in each section and in other cases they are contained in paragraphs that are referenced within the table and follow each table. The reasons for the decisions and the strikethrough version of the Proposed Plan form part of the Council's ongoing section 32 evaluation.

3.3 The columns in the table - submitter number and point, summary and position are all taken directly from the summary of submissions required as part of the statutory process. The 'Decision' column is the Committee's decision whether the submission has been accepted, accepted in part, or rejected. The last column, 'Reason' is a brief explanation of the decision or has a reference to the text following the tables where the reason is expanded.

- 3.4 The amendments in text as a result of the Committee's decision can be seen in the track changes version of the District Plan. The changes to the text are referenced to the submission point that requested the change or as a consequential amendment generated from the submission point. In some instances when the change to the text is minor and has not changed the intent of the provision of the plan these are a result of RMA clause 16 and are not referenced in the text.
- 3.5 Section 32 of the Act requires the Council in preparing a proposed plan to carry out an evaluation both before it is publicly notified and before making a decision on submissions. The evaluation is to examine the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether, having regard to their efficiency and effectiveness, the policies, rules and other methods are the most appropriate for achieving the objectives. The evaluation is to take into account the benefits and costs of policies, rules or other methods; and also the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or methods.
- 3.6 The RDC carried out an evaluation of the Proposed Plan before it was publicly notified and duly published a series of summary reports.
- 3.7 The Resource Management Amendment Act 2013 (RMAA 2013) amended the provisions of section 32 of the RMA. The RMAA 2013 took effect on 4 December 2013. The reporting officers advised us that as at 4 December 2013 the Proposed Plan had been notified and the further submission period had been completed. Consequently, under the RMAA 2013 transitional provisions the previous section 32 provisions apply to these proceedings. We accept and concur with that advice.
- 3.8 We note that, where appropriate, the Section 42A Reports undertook a section 32 analysis of the relief sought by submissions. We found that analysis helpful.
- 3.9 We record that we have taken into account the requirements of section 32 of the RMA when making our determinations on the submissions. We have not however attempted to prepare a separate section 32 analysis report relating to our determinations.
- 3.10 The Committee has decided to amend the chapter headings. Note that any reference in the document to Part 2 - Matters of National Importance is referring to Part 2 as it is now titled - 'Section 6 Matters'.

Part 2

- 3.11 Part 2 of the RMA sets out the purpose and principles of general application in giving effect to the Act. We understand that Part 2 is intended to inform the approach to the Act's interpretation and implementation.
- 3.12 The Act has a single purpose, and whether a particular provision serves that purpose requires an overall broad judgement allowing for comparison of conflicting considerations, their scale and degree, and their relative significance in the final outcome. The matters provided for in s6 to 8 are not ends or objectives in their own right, nor matters to be protected at all costs.
- 3.13 Section 6 of the RMA identifies matters of national importance, and we are required to recognise and provide for them. Section 7 lists matters to which we must have particular regard. Section 8 requires that we take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- 3.14 We have sought to give effect to Part 2 of the RMA in making our determinations on the submissions and further submissions.
- 3.15 Note: The name for Part 1 of the district plan has been changed to Matters of National and Strategic Importance. The name for Part 2 has been changed to Section 6 Matters. These

changes are not reflected in the tables below, however they will be reflected in the district plan tracked changes.

4. TOPICS – Part 4

Overview

The main topics raised by the submissions are –

1. Lakeside Settlement zone, Residential 4
2. Accessory buildings in the side and rear yard
3. Height of fences and provision for landscaping in front yards
4. Community housing
5. The extent of the residential zone in Hamurana
6. Zone provisions for the Whakatau block area (bounded by Amohau Street, Ranolf Street and Pukuatua Street)
7. Risk from natural hazards, particularly flooding
8. On site amenity space
9. Infrastructure and district wide matters
10. Sustainable building design principles
11. Signs
12. Miscellaneous

4.1 Topic 1 - Lakeside Settlement Zone, Residential 4

NOTE: Submissions under this topic are addressed in the decision report for Submissions Across Various Chapters.

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
Lakeside Settlement submitters - 77-15, et al	Amend sections 4.2, 4.2.1 and 4.2.4 by redrafting it in a positive manner, considering the contribution of lakeside settlements and lake structures. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in Part	No change has been made to part 4, however changes have been made to Part 2 which discuss the characteristics and economic and recreational values of the lakes.
	FS554.15: It promotes and protects the public and private interests.	Support	Accept in part	As above
Lakeside Settlement submitters - 77-60, et al	Delete "adjoins a water body" of the final sentence of 4.2.4 to read as follows: "Where a site includes one of these identified matters, assessment against the objectives and policies of Part 2 is also required". This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Support with amendment	Reject	The preservation of the natural character of lakes and other water bodies and their margins is a s6 matter. Where a site includes a Matter of National Importance, the activity is discretionary and relevant objectives and policies in the district plan must be

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
				considered.
	FS554.60: It promotes and protects the public and private interests.	Support	Reject	As above
Lakeside Settlement submitters - 77-16, et al	Amend the environmental outcomes of section 4.3 to recognise and provide for lakeside settlements as valuable, popular and attractive residential areas. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	4.3.4 covers this request.
	FS 541 – 9 - Support for reasons stated in the submission.	Support	Reject	As above
	FS 554 – 16 It promotes and protects the public and private interests.	Support	Accept	As above
423-102	<p>Delete "replacement of or additions to existing buildings" in Rule 67 of Table 4.5 as this is covered by existing use rights. Amend Rule 67 of Table 4.5 to a restricted discretionary activity, with the Councils discretion limited to the extent to which the activity affects the capacity of ponding areas and overland flow paths, without the need to obtain the written approval of affected parties and without notification. Alternatively, provide for the activity as a controlled activity with cross reference to 4.7.2. As consents for structures are currently issued by the BOPRC in collaboration with Te Arawa Lakes Trust ("TALT"), the role of the Proposed Plan should be confined to ensuring that the structures consented by BOPRC are sound and safe and that sufficient structures are available on RDC owned land to provide for the needs of all users.</p> <p>Where there is a need to protect ecological and aesthetic values of the lake through controls on design, size and spacing, any construction need to be soundly based on valid, evidence-based, site-specific requirements as against on blanket and arbitrary rules, opinions and value judgments. The repair of maintenance of jetties and launching ramps should not be discretionary unless the repair or maintenance requires a more than 10% change to the total area.</p> <p>This is a consequential amendment to ensure that the lakeside settlement and facilities around Lake Rotoiti is not subject to additional restrictions due to the flood line.</p>	Oppose	Accept in part	After consideration of all the evidence presented and the S42 report on submissions across various chapters the committee has decided to accept in part this submission and delete the rule.

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
162-10	It is important to retain the character of the lakeside settlements. Retain intent.	Support	Accept	The committee accepts the submission noting support for the proposed plan
Lakeside settlement submitters - 77-17, et al 181-19, 236-19, 368-5, 454-19, 460-19, 466-20, 492-19	Include the following additional objective and policy in section 4.4 or words to a similar effect: Objective - "Maintain the character and amenity provided by the Districts lakeside settlements and lakeside resources"; Policy - "Provision should be made for the on-going use and development of existing lakeside settlements and associated recreational facilities such as boat ramps, and jetties. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	There is no specific policy in the proposed plan that addresses the amenity and character of the different zones. Objective 4.4.1A and associated policies have been included to address this omission and respond to this submission.
	FS 554 – 17: It promotes and protects the public and private interests.	Support	Accept in part	As above
Lakeside Settlement Submitters - 77-18, et al	Amend rule 4.5.4 to a Discretionary activity status. Assigning a non-complying activity status to any activity not expressly stated is inconsistent with the enabling nature of the Act. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	This rule is consistent with the operative plan. It provides a clear signal as to the activities that are considered not to promote the objectives of the plan. It has no detrimental effect on enabling appropriate activity.
	FS541.8: Support for reasons stated in the submission.	Support	Reject	As above
	FS554.18: It promotes and protects the public and private interests.	Support	Reject	As above
500-39	Amend the status of Rule 63 from permitted to 'discretionary' for buildings and structures under Rule 63 for the residential living zone. Reason: Rule 63 is contrary to Policy MN1B of the Proposed RPS. Outstanding is a very high threshold. To allow for buildings and structures as a permitted activity within an outstanding natural landscape risks inappropriate development occurring.	Support with amendment	Reject	The rules have been drafted in this way to take account of existing patterns of residential development within the urban boundary and also within an ONFL. The performance standards restrict further development from that which would be on a scale that would have a significant adverse effect on the ONFL. Matters of national importance are discussed in more detail in the report for part 2 of the plan.

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
Lakeside Settlement submitters - 77-19, et al	Amend rule 4.5.66 (Buildings, structures and earthworks in esplanade strips) from discretionary to a controlled activity status with accompanying standards and terms controlling reflectivity, and building colour. Exclude minor earthworks and land based parts of lake structures from this rule. Alternatively, amend the rule to a restricted discretionary activity status with discretion restricted to considering the adverse effects of non-compliance with the standards and terms. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	The rule reflects the provisions of the RMA in respect of esplanade reserves and the submission to alter status to controlled conflicts with the purpose of the Act in this regard. However it is reasonable to alter the status to restricted discretionary as the activity may otherwise be permitted and considerations will be limited in scope. Matters of National Importance are discussed in more detail in the report for Part 2 of the plan.
	FS581.13: TALT does not support a 25m setback for buildings from the edge of lakes and rivers as this fails to acknowledge lake structures (which can be defined as a structure'), which occur in multiple zones. Request Council to: 1. Request the rule be amended to "Lake structures that have Regional Council consent, Permitted". 2. Amend Rule to "Buildings located within 25m of water body that are not a consented lake structure (consented from BoPRC), Discretionary". 3. New paragraph in Sections 10.1 and 10.5 to state that jurisdiction and administration of all lake structures is undertaken by BoPRC, WRC, TALT and LINZ. 4. Request RDC to have further discussions with TALT to enable PDP to be accurate with existing lake structures administration.	Support	Reject	As above
	FS554.19: It promotes and protects the public and private interests.	Support	Reject	As above
	FS541.7: Support for reasons stated in the submission.	Support	Reject	As above
Lakeside Settlement Submitters - 77-56, et al	Delete "replacement of or additions to existing buildings" in Rule 67 of Table 4.5 as this is covered by existing use rights. Amend Rule 67 of Table 4.5 to a restricted discretionary activity, with the Councils discretion limited to the extent to which the activity affects the capacity of ponding areas and overland flow paths, without the need to obtain the written approval of affected parties and without notification. Alternatively, provide for the activity as a controlled	Oppose	Accept in part	If existing use rights do apply, then the onus is on the applicant to demonstrate this, however in other cases the intention of the plan is to safeguard occupiers of new buildings from the risk of flooding. However this is an instance where, if potential

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
	activity with cross reference to 4.7.2. This is a consequential amendment to ensure that the lakeside settlement and facilities around Lake Rotoiti is not subject to additional restrictions due to the flood line.			flooding is the only reason a building requires consent, the status of the activity as restricted discretionary may be appropriate. Natural hazards are addressed in the report for submissions across various chapters.
	FS554.56: It promotes and protects the public and private interests.	Support	Accept in part	As above
Lakeside Settlement Submitters - 77-57, et al	Amend Rule 68 of Table 4.5 by deleting reference to 'activities', given the wide meaning normally provided to 'activity' and the unreasonable implication of this rule. This is a consequential amendment to ensure that the lakeside settlement and facilities around Lake Rotoiti is not subject to additional restrictions due to the flood line.	Oppose	Accept in part	It is accepted that 'activity' is too broad a term in this context. Natural hazards are addressed in the report for submissions across various chapters.
Lakeside Settlement Submitters - 77-20, et al	Amend section 4.6.1 to allow for a building height of 8 metres to enable a two storey dwelling with sufficient modern stud heights. If this is not preferred in all residential zones, it should at least apply to the Residential 4 lakeside settlement zone. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept	7.5m has become established as the characteristic height of buildings in the residential parts of the district. However after consideration of all the evidence presented and the S42 report the committee has decided to accept this submission and increase the maximum height to 8m to reflect the character of the housing in the zone and the aspirations of residents to develop larger two storey houses in the lakeside settlements.
	FS 554 – 20: It promotes and protects the public and private interests.	Support	Reject	As above
Lakeside Settlement Submitters - 77-21, et al	Amend section 4.6.1.b to allow the maximum front fencing height to be 2 metres to insulate a property from off-site effects. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept	After consideration of all the evidence presented and the S42 report the committee has decided to accept this submission as the proposed restriction to 1.5m for front fences would conflict with the objectives to provide reasonable privacy and protection from noise and would not

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
				make a significant contribution to the objective of providing an open character and secure environment.
	FS 554 – 21: It promotes and protects the public and private interests.	Support	Accept	As above
Lakeside Settlement Submitters - 77-28, et al	Delete section 4.6.11 or provide clarity as to how the reflectivity standards are measured and assessed or how "visible from a lake" is defined. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	Defining how visibility will be assessed will clarify the intention of the performance standard.
	FS554.28: It promotes and protects the public and private interests.	Support	Accept in part	As above
Lakeside Settlement Submitters - 77-22, et al	Amend section 4.6.2.b to allow all side and rear yards to be 1.5m with variation criteria as follows (or similar words): "A building may be erected closer to a side or rear setback where, prior to the building works relating to the encroachment being undertaken, the written approval of those property owners and occupiers whose properties adjoin the proposed non-compliance has been obtained and is clearly endorsed on all relevant building plans or other plans that show the encroachment. The written approval and endorsed plans shall be provided to Council for registration on the appropriate property file. In the context of this rule an adjoining property will include rights of way adjoining the non-compliance where the building is to be located within 1.5 metres of that property boundary". This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	Provisions in rule 4.6.2.d provide for an application to vary from the performance standard. To amend the performance standard as submitted would change the existing character of the zone, by reducing the space between and around household units.
	FS554.22: It promotes and protects the public and private interests.	Support	Reject	As above
Lakeside Settlement Submitters - 77-23, et al	Amend section 4.6.2.d to provide for a maximum height of single storey accessory buildings of 4 metres and a maximum length of 10 metres to allow for boat shed requirements. If this relief is not preferred, provide for that relief at least in the Residential 4 Lakeside Settlement zone. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	Another submission suggests that compliance with the daylight plane would be sufficient to protect amenity and outlook and this is accepted. However the length of the building makes a difference to the degree of adverse effect that may be experienced by adjoining properties and 7.2m is considered

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
				a reasonable limit to ensure the continued protection of amenity. Amenity values in the Residential 4 zone require protection of outlook and privacy, even though the character of the zone is strongly linked to the lake and activity related to it.
FS 554-23	It promotes and protects the public and private interests.	Support	Accept in part	As above
Lakeside Settlement Submitters - 77-24, et al 121-78 258-77	Amend section 4.6.3.a to provide a maximum site coverage for buildings of 40% which would be more reasonable, less restrictive and reflect the level of existing development in the lakeside settlements. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	The character of the zone is different to other residential zones. The zone is characterised by low building density and a high proportion of open space. The performance standard reflects this
FS 554-24	It promotes and protects the public and private interests.	Support	Reject	As above
Lakeside Settlement Submitters - 77-25, et al	Amend section 4.6.3.b to increasing the impermeable surface controls in the Residential 4 zone to align with the requirements in other zones (no maximum). This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	The proportion of permitted impermeable surface for each zone reflects the character statement at the front of the chapter. In residential 4 the character is more open than in the inner urban areas.
FS 554-25	It promotes and protects the public and private interests.	Support	Reject	As above
143-77	Amend section 4.6.3.as to provide a maximum site coverage for buildings of 40% which would be more reasonable, less restrictive and reflect the level of existing development in the lakeside settlements. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Reject	The character of the zone is different to other residential zones. The zone is characterised by low building density and a high proportion of open space. The performance standard reflects this.
246-11	That Council adopts the site coverage performance rules with the addition of: - maximum site coverage for residential 2 and resource consent requirements for non-complying site coverage. The maximum site coverage rules for buildings and impermeable surfaces	Support with amendment	Accept in part	The absence of a maximum site coverage for residential 2 supports the achievement of more efficient use of land and designs for higher

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
	<p>are supported in part. However, it is suggested that Council goes further and includes a restriction for site coverage in medium density residential areas. Toi Te Ora supports the minimum 10% of the net site area to be provided as useable outdoor recreation and amenity space for each dwelling. Toi Te Ora recommends that Council require resource consent for non-complying site coverage as this will enable the quality of outdoor space to be addressed.</p>			<p>density. An application for consent is required for non-complying consent in any case.</p>
<p>Lakeside Settlement Submitters - 77-26, et al</p>	<p>Delete the earthworks provisions in section 4.6.8 (including those standards in Appendix 10) as it is efficiently controlled under the Bay of Plenty Regional Land and Water Plan. Do consequential amendments to other zone chapters. Appendix 10, earthwork performance standards is overly onerous e.g. section a10.2.1.13 requires work to be completed within three months of commencing. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.</p>	<p>Oppose</p>	<p>Accept in part</p>	<p>The provisions for earthworks throughout the plan have been reviewed, as there are parts that do not function properly to enable implementation of the plan. However deletion of provisions is rejected, as there are considerations that are a district council function.</p> <p>Earthworks standards are separately addressed in the report for Appendix 10.</p>
	<p>FS585.16: NZHPT seeks that this performance standard is retained.</p>	<p>Oppose</p>	<p>Accept in part</p>	<p>As above</p>
	<p>FS593.4: This is duplication with the Regional plan rules.</p>	<p>Support</p>	<p>Accept in part</p>	<p>As above</p>
	<p>FS554.26: It promotes and protects the public and private interests.</p>	<p>Support</p>	<p>Accept in part</p>	<p>As above</p>
<p>Lakeside Settlement Submitters - 77-59, et al</p>	<p>Include additional, appropriate and consistent provisions in section 4.7.2.1 that address flooding effects where there is a clearly demonstrated need for flood controls based on appropriate technical engineering standards. This is a consequential amendment to ensure that the lakeside settlement and facilities around Lake Rotoiti is not subject to additional restrictions due to the flood line.</p>	<p>Oppose</p>	<p>Accept</p>	<p>The position of the 50 year line has potential inaccuracies. It is also considered that risk from flooding can be addressed either through the normal subdivision application process or through building consent.</p> <p>Natural hazards are discussed in the report for submissions across various chapters.</p> <p>After consideration of all the evidence presented and the S42 report the committee has decided to delete provisions relating to</p>

Submitter Number - Point	Summary of Submission	Submitter Position	Decision	Reason
				flooding from the zone chapters.
	FS554.59: It promotes and protects the public and private interests.	Support	Accept	See above
Lakeside Settlement Submitters - 77-29, et al	Amend the controlled activities matters and criteria in section 4.7 or insert "where relevant" to ensure the matters and criteria are appropriately applied e.g. require reference to a specific standard such as BS5252 (colour chart). These matters are unduly wide and allow assessment of many matters unrelated to a number of the activities to which they are intended to apply e.g. flood controls on replacement buildings, which has existing use rights or to which resource consent may apply. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	"where relevant" does not need to be specifically stated as it would not necessarily be clear to the community as to what is, or is not, relevant. Only relevant matters are considered.
	FS554.29: It promotes and protects the public and private interests.	Support	Reject	As above
Lakeside Settlement Submitters – 77.58 et al	Clarify why there are specific considerations in relation to flooding for controlled activities in section 4.7 but not for discretionary activities in section 4.9. This is a consequential amendment to ensure that the lakeside settlement and facilities around Lake Rotoiti is not subject to additional restrictions due to the flood line.	Oppose	Accept in part	The specific rules regarding buildings on land subject to flooding were deleted in response to other submissions. Natural hazards are discussed in the report for submissions across various chapters.
	FS554.58: It promotes and protects the public and private interests.		Accept in part	As above
Lakeside Settlement Submitters - 77-30, et al	Amend the restricted discretionary activities methods of assessment in section 4.8 or insert "where relevant" to ensure the matters and criteria are appropriately applied. These matters are unduly wide and allow assessment of many matters unrelated to a number of the activities to which they are intended to apply. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	"where relevant" does not need to be specifically stated as it would not necessarily be clear to the community as to what is, or is not, relevant. Only relevant matters are considered.
	FS554.30: It promotes and protects the public and private interests.	Support	Reject	As above

Committee Reasons

- 4.1.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.1.1 The character of the lakeside settlement zone is described in the introduction to part 4 and through policy 4.3.1A.4. Furthermore the economic and social values of the lakes are discussed in the decision report for Part 2 (matters of national importance). The submissions suggest that insufficient reference is made in the plan and that the focus of the plan is unclear regarding the character of the zone.
- 4.1.2 The preservation of the natural character of lakes and their margins is a matter of national importance identified in section 6 of the Act. The plan is required to recognise and provide for such matters. Provisions affecting the lakeside settlements need to balance this consideration against the objectives of the plan.
- 4.1.3 Activity in the zone may also affect the integrity of outstanding natural features and landscapes (ONFL) and significant natural areas (SNA). The plan is required to give effect to the relevant provisions in regional policy statements to manage effects on these designations.
- 4.1.4 A feature of lakeside settlements is the lake structures that enable the recreational use of the water. How these are managed needs to balance the reasonable expectations of the communities to be able to use the lake and the requirements of the Act and regional policy statements.

Provisions of the Proposed District Plan

- 4.1.5. The character of the Lakeside Settlement Zone (Residential 4) is described in the introduction to the chapter and the issues affecting the zone described in 4.2.1. Policy 4.3.1A.4 describes the qualities of the environment that are to be maintained. The rules and performance standards are drafted in order to achieve the aims of the policy.
- 4.1.6 The group of submitters 77 et al are concerned that the plan does not properly address the character and qualities of the lakeside settlements and does not provide for reasonable development associated with the environment of the zone. A clear statement of the character of the zone is necessary to achieve the broad objectives of the plan and changes have been made to the introduction and issues and through an additional objective, 4.3.1A. The policies and rules have also been amended to ensure that the plan is more efficient and effective in achieving those objectives, for example policy 4.3.1A.4. There are no significant risks or costs associated with the changes. There are benefits to the economy of the district through providing for recreational use of the lakes by residents, holiday home owners and visitors.
- 4.1.7 The Committee has amended the wording of this chapter to properly reflect the elements that make up the character of the residential 4 zone.
- 4.1.8 In response to these submissions the Committee has amended several parts of the plan. The Committee has also changed the provisions related to lake structures. This involves changes to the rural chapter and reserves, community assets and water chapter.

4.2 Topic 2 - Accessory buildings in the side and rear yards

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
Lakeside Settlement Submitters - 77-23, et al (see also section 4.1 above)	Amend section 4.6.2.d to provide for a maximum height of single storey accessory buildings of 4 metres and a maximum length of 10 metres to allow for boat shed requirements. If this relief is not preferred, provide for that relief at least in the Residential 4 Lakeside Settlement zone. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept in part	The Committee accept in part this submission and has made amendments in response to other submitters that address this submission point. Submitter 419 suggests that compliance with the daylight plane would be sufficient to protect amenity and outlook and this is accepted. However, the length of the building makes a difference to the degree of adverse effect that may be experienced by adjoining properties and 7.2m is considered a reasonable limit to ensure the continued protection of amenity. Amenity values in the Residential 4 zone require protection of outlook and privacy, even though the character of the zone is strongly linked to the lake and activity related to it. For this reason the submission is accepted in part.
419-4	4.6.2.d.i - (1) the maximum length should be increased to either 6.6m or 7.2m and (2) clarify wording by stating "on a side and / or rear boundary". d.ii - Remove all reference to maximum heights from d., as these buildings should only need to comply with Performance Standard 4.6.1 Maximum Height and Daylight Envelope. d.iv - Clarify this rule, perhaps deleting everything in brackets. Add another standard that the single storey accessory building could incorporate a habitable area, but no portion of the habitable area can be closer than 2.5m from the side and/or rear boundary, except with Resource Consent.	Support with amendment	Accept	The Committee decided to amend this rule because using the daylight envelope is considered sufficient to ensure reasonable levels of privacy and outlook and is accepted. It is also accepted that clarification of 4.6.2.d.iv is necessary. However the length of the building has a significant influence on the degree of adverse effect on the neighbouring properties. 6m was included in the proposed plan as a reasonable length that would still ensure a

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
				satisfactory degree of privacy and outlook. It is recognised that a common size for a prefabricated building is 7.2m and it is accepted that this additional extent of 1.2m would not make a significant difference. See paragraph 4.2.5

Committee Reasons

- 4.2.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.2.1 A high proportion of applications for controlled activity consent are for accessory residential buildings in the side or rear yards and are accompanied by the consent of affected neighbours. The Council cannot decline applications in such a case. As this type of application is generally non-controversial and does not lead to development that has a detrimental effect on the character of the zone.
- 4.2.2 Nevertheless there are potential adverse effects of accessory residential buildings close to the boundary on the privacy, outlook and amenity values of neighbouring residents that need to be managed through rules in the plan.

Provisions of the Proposed District Plan

- 4.2.3 The intention of proposed performance standard 4.6.2(d) is to provide for accessory buildings within side and rear yards that have proved to generally be non-controversial during the life of the operative plan. Within the proposed limitations, accessory buildings can be carried out as permitted activity. The standard would protect mutual privacy and amenity and maintain a sense of space between buildings in keeping with the character of the residential zones.

Submissions

- 4.2.4. Note that there are minor amendments to clarify the interpretation of this rule in section 4.13.
- 4.2.5 The submissions on this rule propose some amendments to the limitations for the accessory buildings. The Committee accepts submission 419.4 noting it proposes an increase in the maximum length in keeping with the standard lengths for prefabricated buildings. The Committee consider this a reasonable and pragmatic amendment and is unlikely to have a significantly more harmful effect on outlook, privacy and residential character than the 6.0m originally proposed.
- 4.2.6 The Committee has heard the evidence presented by submission 516.25 however it supports the recommendation in the s42A report as the 10m proposed is more likely to have an adverse effect on neighbouring residents and therefore this change is rejected. A 4m height limit is also considered to have potential adverse effects, but an amendment to use the daylight envelope as the defining height limit is reasonable and in keeping with the principles for reasonable permitted building height in the rest of the plan. A standard side and rear yard of

1.5m would cause an incremental change to the character of the residential zones by reducing space around buildings. No change has been made to the standard for yards.

- 4.2.7 Providing for accessory buildings in the side and rear yards to be carried out as a permitted activity is in keeping with the aim of the plan to enable development. The proposed performance standards ensure that such development can be carried out without an adverse effect on amenity or character and therefore is an appropriate means of achieving the objectives – in particular 4.3.1, 4.3.1A and 4.3.5 - of the plan. The increase of the standard for maximum length of such a building to suit the standard dimensions of a prefabricated garage is a more reasonable and realistic response to achieving the objective of the plan. It will reduce the likely number of applications for consent that would be required without a significant adverse effect on neighbouring occupiers. The option of extending the standard to 10m however would increase the risk that an accessory building close to a boundary would have an adverse effect on the outlook of neighbours. The amendment to the standard is therefore an effective and efficient mechanism for achieving the objectives.

4.3 Topic 3 - Height of fences and provisions for landscaping front yards

Summary Table submission points

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
331-6	Amend policy 4.3.5.2 to manage vegetation screening in the front yard. Policy 4.4.5.2 defeats the intent of the objective as vegetation can grow higher than the required 1.5m fence height.	Support with amendment	Accept in part	See paragraph 4.3.9
360-38	4.3.5.1 - Difficult to achieve with land use when site is already existing. More suited to subdivision chapter.	Support with amendment	Accept in part	See paragraph 4.3.6
FS 563 - 3	Support the reasoning that the list provided in Policy 4.3.5.1 is difficult to achieve with land use when site is existing. Either remove from residential chapter or qualify that the list provided in the policy refers to 'new' residential development.	Support with amendment	Accept in part	See paragraph 4.3.6.
379-92	Review and delete or redraft 4.3.5 - Policy 4.3.5.2 controls measures that have doubtful merit - what about vegetation? Clarify where the rules are to support it?	Oppose	Accept in part	See paragraph 4.3.9
	FS583.5: RNZ supports the retention of Objective 4.4.5, (with the addition of RNZ's suggested new Policy 4.4.5.5).	Oppose	Accept in part	See paragraph 4.3.9
379-79	Amend the Plan to remove controls on fence heights and orientation to the road in 4.2.1 (and elsewhere) - paragraph 2 Reference to landscaping presumably means open space fencing and orientation to roads. The theory propounded by the Plan is that low fences and windows overlooking the road enhance public safety through passive	Support with amendment	Accept in part	The Committee has heard the evidence presented by Sigma Consultants, however it considered that a degree of openness in the street scene and seeking to

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	surveillance. The description in this section confuses building in the front yard and loss of planting with this approach. Being free to make best use of the site is most important, with open space using the private and sunny areas, while parking and access use minimal site area and the less sunny areas. Most people chose not to face towards the street to maximise the potential enjoyment and privacy of their site.			control how front yards are developed and used are not mutually exclusive. See paragraph 3.4.5
379-101	Delete 4.6.1e - Fence height - what will this height limit achieve - provides a screen that is too high to allow "surveillance" and does not allow for protecting the privacy of yards on the north side of a house.	Oppose	Accept in part	The Committee accepts the submission, noting the Operative District Plan has a height restriction of 1.8m that has received no complaints. Furthermore, the Committee considered that the change to 1.5m is minimal and will make little difference in terms of amenity and achieving accepted principals. See paragraph 3.4.5
419-2	All references to passive surveillance should be removed. Passive surveillance of the street should be the residents' choice not part of a Council plan.	Oppose	Reject	The Committee has heard the evidence presented by Ideal Buildings and Garages Rotorua, however the Committee supports the recommendation in the s42A report because these performance standards seek to encourage passive surveillance. It is not a compulsory requirement in itself. See paragraph 4.3.7 below

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
424-2	Delete sentence 'Front yards that are free of buildings and not screened by high fencing. In relation to the statement in paragraph 4.3.5.2 'Front yards that are free of buildings and not screened by high fencing' we feel this potentially contradicts paragraphs 4.3.5.1 and 4.3.1.3 which state 'Sufficient space to provide private, usable outdoor open area for garden and amenity space.	Support with amendment	Reject	See paragraph 4.3.10
5-2	Amend 4.6.1 to provide for a 2.0 metres fence height. A 1.5 metre fence height is too restrictive and should comply with the Building Act which is 2.0 metres.	Oppose	Accept in part	The Committee agree with the submitter that 1.5m is too restrictive, however the Committee decided to not accept this submission in full, as amendments have been made to the section as a result of decisions on other submissions. See paragraph 4.3.5
114-4	Council should not stipulate the height of a front boundary fence given there are many variables involved when a landowner decides to construct the fence, such as topography, privacy, and location of existing buildings.	Oppose	Accept in part	The Committee agree with the submitter that 1.5m is too restrictive, however the Committee decided to not accept this submission in full, as amendments have been made to the section as a result of decisions on other submissions. See paragraph 4.3.5
	FS563.4: Support for reasons stated in the submission.	Support	Reject	As above
214-2	Requesting to change maximum front yard fence height, door to boundary within 2.5 metre setback and the minimum 10% yard. Rather than comment and recommend on one particular aspect of the proposed district plan, changes suggest that an overall view is taken of these items (and other changes) and how they affect the end user.	Support with amendment	Accept in part	The standards for front fence height, door to boundary and open space is required to implement the objectives and policies of the plan. There are some errors of grammar and syntax in rule 4.6.2.d that corrections will clarify. See paragraph 4.3.5.

Committee Reasons

- 4.3.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.3.1 The character of residential zones is significantly affected by treatment of the front boundaries and front yards. Both hard and soft landscaping influence how these zones are perceived by residents and visitors. This is discussed in the introduction to the chapter.
- 4.3.2 In particular high fences create blank frontages in the street scene, which can have a cumulative harmful impact on amenity. On the other hand, often in cases where there has been infill development, the front yard is an area required as private garden area for recreational purposes. In these cases it is reasonable to expect a degree of privacy.
- 4.3.3 Street trees and planting in front yards help to soften the built elements in the environment. The plan can seek to enhance the residential zones by managing soft landscaping, particularly where this is visible from the public realm. Landscaping, including trees, can be required by conditions to offset the adverse effects of buildings and boundary treatment.

Provisions of the Proposed District Plan

- 4.3.4 The performance standard sought to manage the height and appearance of fences that front a road. It was considered that the appearance of high, blank fences in the street scene significantly affects the character of the residential zones. It was not intended to prevent high fences as it is recognised that privacy is an important amenity for residents. However by managing boundary treatment to ensure that its design would not be detrimental to the street scene, the objectives and policies regarding maintenance of character could be implemented as well as the objectives and policies regarding amenity.
- After consideration of all the evidence presented and the S42 report the Committee has decided to accept the submissions regarding removal of as the proposed restriction to 1.5m for front fences would conflict with the objectives to provide reasonable privacy and protection from noise and would not make a significant contribution to the objective of providing an open character and secure environment.

Submissions

- 4.3.5. The Committee accept in part the submissions of the following submitters 5.2, 114.4, 563.4, 379.101 and 214.2 who oppose this performance standard 4.6.1 on the grounds that it is restrictive and not a matter that should be managed through the District Plan. The Committee considers that boundary treatment is a significant built feature in the street scene and one that can have a harmful effect on character, however the Committee recognise that the Operative District Plan has set a height limit of 1.8m without complaint from residents. The standard is therefore deleted and is to be considered in the same way as other boundary fences (i.e. a fence up to 1.8m in height is not defined as a building and does not trigger a resource consent. It is sufficient to provide enclosure of the yard.
- 4.3.6 The Committee accepts in part the submission by 360.38 and FS563.3 which questions whether policy 4.3.5.1 is more appropriate to the subdivision chapter. The Committee considered this should be addressed in both chapters as development and use of land can affect the capacity for residential sites to provide space. The performance standards requiring provision of a minimum standard of space are intended to implement this policy and can be applied to accessory and additional buildings on residential sites. It does not contradict the standard relating to front fence height.

- 4.3.7 The Committee has heard the evidence presented by Submission 419.2 however it supports the recommendation in the s42A report as the request that the reference to passive surveillance be removed is contrary to the Objective. This performance standards seeks to encourage passive surveillance through appropriate design, it is not a compulsory requirement in itself.
- 4.3.8 The Committee accept in part Submissions 379.79 and 379.101 which seek removal of controls on the grounds that provisions for passive surveillance, landscaping and building in the front yards are confusing and do not operate together. However, the Committee consider that these are matters to be balanced in order to achieve the objectives of the plan. In response to the submitters' discussion around fence heights, the Operative District Plan height of 1.8m has been reinstated.
- 4.3.9 The Committee accepts in part submissions 331.6, 424.2, 379.79, 379.92 and FS583.5 which address the potential balance that needs to be considered when assessing proposals that affect the boundary treatment and landscaping of the front yards. The Committee do not consider that the two elements are mutually exclusive. The issue to be addressed is maintenance of amenity and character affected by changes in the street scene. Both hard landscaping (walls, fences structures and surfaces) and soft landscaping (planting) are elements in the street scene. How the landscaping elements are balanced between the two affects the quality of the final design. Achieving a street scene with tree canopies at or above eye level, managing the extent and appearance of high fences and managing building within the front yard areas are all described in the plan as desirable elements in the residential zones and the objectives, policies and rules seek to promote such qualities in the environment.
- 4.3.10 The Committee has heard the evidence presented by submission 424.2 however it considered that the two policies are not mutually exclusive. The submission considers that there is a conflict between the aim of achieving open space on site and of maintaining front yards that are free of buildings and high fences. After consideration of all the evidence presented and the S42 report the Committee has decided to accept in part this submission and retain the issue, objectives and policies, but delete the specific performance standard.
- 4.3.11 Hard and soft landscaping that is visible in the public realm is a significant influence on the character and amenity values of the residential zones. Management of the adverse effects through the methods proposed in the plan is therefore an efficient and effective means of achieving the objectives of the plan that relate to the amenity and character. Although there is a potential cost to residents through applications for consent and implementation of landscaping conditions, there is significant benefit to the district as a whole. The benefit to the residential environment will be achieved through maintaining and enhancing planting that is visible in the street scene and ensuring that public safety is promoted through passive surveillance throughout the residential environment.

4.4 Topic 4 - Community Housing

Summary Table submission points

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
277-4	<p>To protect the above "high level of amenity" in the residential environment. The proposed plan should be amended via the insertion of the table below as a new paragraph 4.2.1.1:</p> <p>"To maintain the high level of amenity which existed in the Rotorua Residential areas prior to 2011, it will be necessary for any facility to meet the following conditions to allow a community house in a Residential 1 low density suburb. Breaching these conditions will result in consent being withdrawn and facility closed:</p> <p>1 - Occupant type, Description: No-one on bail, no previous serious criminal convictions, no person whose movement is legally restricted. Basis of condition: Amenity value of safety and security of the neighbourhood.</p> <p>2 - Condition: Traffic, Description: No more than 12 vehicle movements per day (in-line with home business rules) including movements of visitors, Basis of condition: Community housing shall not attract significantly more traffic than other residential activities in the vicinity. Condition Type: Operating hours, Description: Shift changes must occur before 10pm and after 8am (two hours longer than allowed in the Tourist zone), Basis of condition: Noise disturbing neighbours.</p> <p>3 - Parking, access and manoeuvring, Description: All staff vehicles to be parked off road. Access onto site needs to be such that it is easy for emergency and police vehicles to attend - back section sites are not suitable, Basis of condition: Allows safe traffic flow on street and promotes safety of staff and other residents.</p> <p>4 - Notification, Discussion, Engagement, Description: All neighbours, 5 either side and on opposite of the road, must be notified and consulted prior to facility being established. Documents must be circulated to neighbours covering contact details and procedures if there are issues. Facility staff/management must immediately contact neighbours</p>	Support with amendment	Accept in part	<p>The Committee notes the submitters concerns, but do not consider the conditions proposed by the submitter are necessary in addition to the revised definition. The scale and character of community housing in accordance with the amended definition and the performance standards will not have an adverse effect on the character and amenity of the zone.</p> <p>See paragraph 4.4.7</p>

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>when there is a danger to safety - such as police callouts for violent offences, Basis of condition: Applicants to consult with affected residents in order to provide a forum to enable the community and residential care providers to discuss fears and concerns.</p> <p>5 - Noise, Description: Occupants and staff need to minimise noise pollution, Basis of condition: Angry noise and shouting disturbing neighbours.</p> <p>6 - Location, Description: Facility should be located less than 5 minutes for a police response. Rapid response is required, for example, in cases of staff being assaulted, Basis of condition: Community and staff protection should be maximised.</p> <p>7 - Fencing, Description: Property should be adequately fenced on all boundaries to ensure safety of neighbours from violent clients, Basis of condition: Safety and security of the neighbourhood.</p> <p>8 - Business Activities, Description: Floor area dedicated to business activities should be less than 5%. No more than one person living away from the site can be employed on site at any one time, Basis of condition: Businesses should be located in non-residential zones (as are periodic detention centres).</p> <p>Rotorua District Plan unless modified will continue to permit the gross violation of the amenity values of Residential suburbs. We submit that reasonable controls over the location of special facilities are needed to enable council to reach our district's own environmental goals.</p>			
189-4	<p>Use discretionary and permitted activity according to the potential vulnerability of nearby neighbours (small children, intellectually impaired, the elderly e.g. rest homes). Comprehensive, contemporary policy rather than 4.5.27 where Community Housing is permitted across all 5 zones. Community housing decisions need to be on a case by case basis.</p>	Support with amendment	Reject	<p>The Committee has heard the evidence presented by Diane Thompson, however it considered that the proposed plan adequately provides for community housing as a permitted activity. The environmental effects of a community house should be no different to that of a household unit</p> <p>See paragraph 4.4.7 below</p>

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>FS 525 – 4 -I am an immediate neighbour of a "Community Home". It has caused me nearly two years of disruption to the enjoyment of my home and personal life, stress, concerns for my safety on many occasions, daily interruptions to sleep and constant disruptions of noise. Make "community housing" a discretionary or restricted activity. Greater controls on where and what types of community facilities are allowed to operate in designated residential areas. There should also be more succinct/robust definitions of what constitutes a "community facility/home/housing and rigorous checking procedures".</p>	Support	Reject	<p>The Committee note the submitters concerns, but do not consider the conditions proposed by the submitter are necessary in addition to the revised definition. The scale and character of community housing in accordance with the amended definition and the performance standards will not have an adverse effect on the character and amenity of the zone.</p>
191-2	<p>That provision be made in the District Plan for the establishment of an overnight shelter for indigent, homeless men.</p>	Support with amendment	Accept in part	<p>The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below</p>
149-1	<p>Include a new activity 'emergency accommodation for up to eight people' under the heading 'Community facilities' without requiring the activity to be notified.</p>	Support with amendment	Accept in part	<p>The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below</p>
246-10	<p>That Council requires education facilities and Daycare centres with four or more children (excluding staff) in each zone to be a discretionary activity. Toi Te Ora supports Council's proposal to retain discretion for community facilities in residential areas.</p>	Support	Accept	Supports proposed plan
256-2	<p>Amend rule 27 to provide for a residential facility for homeless people in Rotorua. It should accommodate up to eight people and be permitted on a non-notified basis. This city has one of the highest percentages of families in the lowest socio-economic grouping, coupled with high unemployment and a concerning crime rate.</p>	Support with amendment	Accept in part	<p>The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below</p>

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
257-2	We submit that provision needs to be made in the Plan for an emergency housing (night shelter) facility.	Support with amendment	Accept in part	The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below
263-2	I support the creation of a night shelter for Rotorua to enable short term accommodation for homeless, transient and destitute people. I would like the RDC to have the proposal included in the District Plan.	Support with amendment	Accept in part	The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below
267-2	The plan should provide for establishment of an emergency overnight shelter for homeless people.	Support with amendment	Accept in part	The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below
268-2	Provision be made in the district plan for a homeless night shelter.	Support with amendment	Accept in part	The Committee accepts in part this submission as the definition of community housing has been amended to provide clarity for plan users. See paragraph 4.4.8 below
FS 528 - 1	Support for reasons stated in the submission.	Support	Reject	As above
277-2	We also submit that the status of all facilities currently named as 'community housing' should be urgently reviewed. Any facility having a Police callout rate like the Exeter Place facility is not a community house for victims, but is a Halfway House - and thus merits significant council control. Rule 27 - currently allows for the uncontrolled establishment of half-way housing for recovering violent offenders or drug or P addicts, or for <i>de facto</i> bail facilities. High disturbance level is an ongoing problem with permitted P halfway housing. We submit that all Community Housing in Rotorua for voluntary clients must become a D- Discretionary Activity, and that half-way houses for non-voluntary clients must be a Restricted Discretionary Activity- RD. Discretionary-D or Restricted Discretionary-RD status will also help council to meet proposed	Oppose	Reject	The Committee has heard the evidence presented by Tihi-o-Tonga Residents Association, however it supported the recommendation in the s42a report as the proposed plan adequately provides for community housing as a permitted activity. It should be noted that the definition of community housing has been amended to provide clarity for plan users. This definition and performance standards control the adverse effects on surrounding occupiers. See paragraph 4.4.7

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	plan's objectives 2.2.3.1 and 2.2.3.4.			below
FS 525 - 5	I am an immediate neighbour of a "Community Home". It has caused me nearly two years of disruption to the enjoyment of my home and personal life, stress, concerns for my safety on many occasions, daily interruptions to sleep and constant disruptions of noise. Make "community housing" a discretionary or restricted activity. Greater controls on where and what types of community facilities are allowed to operate in designated residential areas. There should also be more succinct/robust definitions of what constitutes a "community facility/home/housing and rigorous checking procedures".	Support	Reject	As above
289-3	In most cases, less noise and traffic is generated by a rest home / retirement village than those of residential development, yet can have similar or greater housing densities. Therefore, the activity status for rest homes should be changed to Controlled.	Support with amendment	Reject	The Committee has heard the evidence presented by Ōwhatiura South 5 Incorporation, it considered that institutional uses in residential zones do have the potential to have an adverse effect on the character and amenity of the area and that discretionary status is appropriate See paragraph 4.4.9 below
360-54	Heading "community facilities" should be more general. Change to "community activities" or something similar because otherwise it seems like it should be community facilities definition.	Support with amendment	Accept	This change will clarify the plan and avoid confusion between the heading and rule 23.
360-184	Reference to 18 Exeter place as a community house may not be appropriate. One of the main concerns among residents of Tihi-ō-Tonga is the absence of any consultation. Therefore it may be necessary to conduct research to examine any problems arising as a result of the establishment of 18 Exeter Place.	Support with amendment	Reject	The Committee has heard the evidence presented and it agreed with the s42A report as the submission is not relevant to the text of the plan. It should be noted that the definition for community housing has changed from that in the operative plan as requested by other submitters. See paragraph 4.4.7 below

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
405-2	Community housing should be a discretionary activity. As a permitted activity, the council does not have to assess whether facilities are appropriate. There is no requirement to consult with any persons or parties, or undergo a resource consent process.	Oppose	Reject	<p>The Committee has heard the evidence presented by Lydia Rickard, however it decided that because community housing in accordance with the performance standards is similar in character to normal residential occupation. The proposed provisions give adequate control over activities that either not within the definition for community housing or that breach the performance standards.</p> <p>See paragraph 4.4.7 below</p>
76-2	To protect the environment and the wellbeing of its citizens, should make community housing a restricted discretionary activity. The current status does not prevent adverse effects such as noise and disturbance from staff vehicles and the scale of office activity. Nor does it adequately restrict the range and character of activity that is carried out.	Oppose	Reject	<p>The Committee has heard the evidence presented by Marco Lausberg, however it decided that as the activity defaults to Restricted Discretionary if the performance standards are not met, this combination is sufficient to control potential adverse effects.</p> <p>See paragraph 4.4.7</p>
	FS525.3: I am an immediate neighbour of a "Community Home". It has caused me nearly two years of disruption to the enjoyment of my home and personal life, stress, concerns for my safety on many occasions, daily interruptions to sleep and constant disruptions of noise. Make "community housing" a discretionary or restricted activity. Greater controls on where and what types of community facilities are allowed to operate in designated residential areas. There should also be more succinct/robust definitions of what constitutes a "community facility/home/housing and rigorous checking procedures".	Support	Reject	See above
179-2	Enable Rotorua community night shelter trust to establish the shelter. I support the establishment of a community night shelter in Rotorua for the safety and rehabilitation of homeless/needy people in a critical situation.	Support	Reject	The Committee has heard the evidence presented by Susana So, however it decided that no change is required as the proposed plan provides for community housing as a permitted

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
				activity. The definition in Part 17 clarifies that a night shelter falls within this definition. See paragraph 4.4.8 below
184-2	Rotorua needs an emergency night shelter. Provision should be made in the Rotorua District for a night shelter.	Support	Reject	The Committee has heard the evidence presented by Joan Taikato, however it decided no change is required as the proposed plan provides for community housing as a permitted activity. The definition in Part 17 clarifies that a night shelter falls within this definition See paragraph 4.4.8 below

Committee Reasons

- 4.4.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.4.1 The definition of community housing is intended to cover a residential activity that is of a scale and character that can be carried on in a residential zone without adverse effects on residential character and amenity.
- 4.4.2 During the life of the operative plan there have been instances where the interpretation of the provisions for community housing and the definition has caused some difficulty. The proposed plan therefore seeks to provide a more precise definition and clear rules.
- 4.4.3 The plan must manage the adverse effects of activities on the environment, not seek to manage the individual persons that carry out of the activity. Rules should not seek to control specifically who occupies community housing, but rather the character and scale of the activity.
- 4.4.4 Adverse effects on peace of mind should be based on a reasonable expectation of the nature of the activity, for example whether there is evidence that an activity is associated with crime or noise. Fear of crime that has no basis should not be considered in a RMA context.

Provisions of the Proposed District Plan

- 4.4.5 The definition for community housing in the proposed plan is "A place of residence for a maximum of eight persons (i.e. all residents including resident staff) where some element of care or support is provided for residents. The definition includes emergency housing and rehabilitation centres, but excludes facilities where the movement of residents is legally restricted such as bail hostels or secure units." The exclusion clarifies that the character of the activity is intended as residential.

- 4.4.6 As the principle behind the rules for community housing is that the activity will not affect residential amenity providing all performance standards are met, it is accorded a permitted status. The planning process addresses the nature of the activity and the effects on the environment, not the individuals that carry out the activity.

Submissions

- 4.4.7 The Committee has heard the evidence presented by Submissions 277.2, 189.4, FS525.4 and 405.2 however it decided to accept the recommendation in the s42A report. The Committee noted the suggestion that the activity status for community housing should be changed to address the different nature of a range of activities that may fall within the definition such that an application is required in each case. However, the Committee consider that the performance standards and definition achieve a reasonable level of management and provide for the protection of residential amenity. It allows for a scale and character that is in keeping with the residential zones, but triggers an application for consent for anything that exceeds those stated limits. No change has been made to the proposed plan in response to these submissions.
- 4.4.8 The Committee has heard the evidence presented by Submissions 191.2, 256.2, 257.2, 263.2, 267.2, 268.2, FS528.1, 179.2, 184.2 and 149.1 which seek provision for an emergency shelter catering for the homeless. However, it supports the recommendation in the s42A report as this is covered by the definition ‘community housing’ and no change has been made by the Committee.. In addition submission 149.1 requests that a rule is included that no notification be required for such a use. Whilst it is understandable that in some cases a degree of discretion about the location may be desirable, if it is a permitted activity no application is needed and therefore no notice would be necessary.
- 4.4.9 The Committee has heard the evidence presented by submission 289.3 which seeks a change to the activity status for rest homes and similar uses on the basis that the character is similar to ordinary residential occupation. However the Committee decided to support the recommendation in the s42A report and no change has been made. The cumulative effect of a number of similar uses in a residential zone could adversely affect its character and therefore the activity should be managed through an application process.
- 4.4.10 The notified district plan proposes changes to the definition of community housing that clarifies the activity. Inclusion of a reference to emergency housing is intended to provide for a shelter for homeless persons. Further amendment to the wording clarifies that the definition intends to include temporary accommodation. The methods are effective in providing a range of residential opportunities. The scale of the proposal is managed through the performance standards, which ensure that the residential character of the zone is not adversely affected. The provisions benefit the social needs of the district.

4.5 Topic 5 - The extent of the Residential Zone in Hamurana

NOTE: The submissions under this topic are discussed in the decision report addressing proposed zone changes.

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Reason
190-9	<p>The primary issue is the proposed creation of an extensive residential area, the large area to be zoned RR2 for large lot residential use and the impact upon the existing ratepayers of the funding required in providing for new or upgraded services. The proposal as now presented will have a significant detrimental environmental as well as social impact upon the existing and future ratepayers. What is proposed will destroy the present local environment: significant increase of houses, noise levels will significantly increase, street lighting will destroy the night sky vista, rural contractors will no longer be able to operate, urban rules related to dog and poultry controls and the like that will have a significant negative impact, traffic increase will result in additional road noise which will result in kerbing and footpaths hence destroying the rural / country aspect, storm water will increase, increased financial burden on the existing ratepayers. Request the following: urgent review of the population growth and demographic changes now that additional methodology and information is available; provide the economic and financial analysis and the implications of the proposed extensive zoning and its impact on existing ratepayers and developers; implementation of staged zoning that is shown to be economic to both the existing ratepayers as well as the developers; the proposed Residential Zone be significantly reduced as it is known many within this area re opposed to the Residential zoning; consider alternative residential areas possibly properties adjacent to Hamurana Road from Fryer Road to Turner Road so that as the demand occurs Residential development can occur without significant impact on the existing area; implement proposed RR2 zone progressively to the extensive area from Waiteti/Keith Road to Fryer Road, Hamurana Road to the Lakefront and to large undeveloped blocks such as on Fryer Road so as to minimise the impact upon the existing community and associated land use; establish a new Rural Zone, RR3 Rural Lifestyle particularly over the older established Rural Lifestyle that currently exist so as to retain the criteria of the current zoning of Rural B with a minimum subdivision of 8000m².</p>	Oppose	Accept in part	Refer to the decision report on Rezoning.

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Reason
190-4	<p>We have an issue regarding the growth forecasts and the need for significant infrastructure to service all of the areas proposed and the impact that will have upon the existing ratepayers. What is proposed will destroy the present local environment: significant increase of houses, noise levels will significantly increase, street lighting will destroy the night sky vista, rural contractors will no longer be able to operate, urban rules related to dog and poultry controls and the like that will have a significant negative impact, traffic increase will result in additional road noise which will result in kerbing and footpaths hence destroying the rural / country aspect, storm water will increase, increased financial burden on the existing ratepayers. Request the following: urgent review of the population growth and demographic changes now that additional methodology and information is available; provide the economic and financial analysis and the implications of the proposed extensive zoning and its impact on existing ratepayers and developers; implementation of staged zoning that is shown to be economic to both the existing ratepayers as well as the developers; the proposed Residential Zone be significantly reduced as it is known many within this area re opposed to the Residential zoning; consider alternative residential areas possibly properties adjacent to Hamurana Road from Fryer Road to Turner Road so that as the demand occurs Residential development can occur without significant impact on the existing area; implement proposed RR2 zone progressively to the extensive area from Waiteti/Keith Road to Fryer Road, Hamurana Road to the Lakefront and to large undeveloped blocks such as on Fryer Road so as to minimise the impact upon the existing community and associated land use; establish a new Rural Zone, RR3 Rural Lifestyle particularly over the older established Rural Lifestyle that currently exist so as to retain the criteria of the current zoning of Rural B with a minimum subdivision of 8000m².</p>	Oppose	Accept	Refer to the decision report on Rezoning.
190-3	<p>The proposals as now presented will have a significant detrimental environmental as well as social impact upon the existing and future ratepayers. Water supply sources, reticulation and reservoirs are inadequate. Extensive development may require a decentralised wastewater treatment plant. Staging has been recommended by Council advisors. Population growth estimates are questioned. Reduce the area of land zoned as residential.</p>	Oppose	Accept in part	Refer to the decision report on Rezoning.

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Reason
390-3	Change RD4 to 4000m not 1000m	Oppose	Reject	Refer to the decision report on Rezoning.

Committee Reasons

- 4.5.0 The Committee considered the submissions, the Section 42A reports for this part and for rezoning and the evidence presented at the hearings by submitters. The Committee considered the recommended changes in the Section 42A reports have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.5.1 The proposed land zoning in the plan was influenced by the housing growth forecast in the structure plan and the potential for further development enabled by the extension of the public sewer network to the Hamurana area.
- 4.5.2 On the other hand, the population forecast for the district as a whole and the urban land that is available with potential for subdivision do not indicate that there will be a significant need for additional housing during the life of the plan.
- 4.5.3 The character of Hamurana is a combination of medium density settlement close to the lake and more open rural residential on the land on the slope of the caldera. The community response to the plan indicates that there is a strong feeling that the residents wish to retain the existing character of the area and not live with significant residential development.

Submissions

- 4.5.8. All the submissions to this topic relate to the proposed zoning and density and consequent effect on the existing character of the area. It is agreed that housing growth anticipated by the combined structure plan for the plan period could be met by retaining zoning that is broadly equivalent to the operative plan and introducing the proposed increase to housing density where sites are connected to the public sewer network. Amending the zoning in accordance with the submitters' requests will not adversely affect the ability of the plan to provide for anticipated growth. The extent of the Residential 4 zone is also addressed in the decision reports for zoning and planning maps.
- 4.5.9 The change in response to the submissions involves a zone change over a wide area of Hamurana. The result of the change will reduce the potential subdivision and residential development potential of land owners; however the consequence is that the character of the area will not be as significantly altered. The objective of the plan to maintain the character and amenity values of the residential zones will be more efficiently and effectively achieved. Given that projected housing growth can still be accommodated through the changed zoning, there is no risk or cost associated with it. The changes are an appropriate way to achieve the objective of the plan to provide for a range of residential opportunities.

4.6 Topic 6 - Zone provisions for the Whakatau block area

Summary Table submission points

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Committee's Decision
414-13	Whakatau block: We wish the permitted status of household units to remain and for additional household units to be a controlled activity. Where a land use consent has been granted for a multi-unit residential subdivision should be permitted or at the most restrictive, controlled.	Support with amendment	Accept in part	The Committee accept in part this submission, in principle, however the change is not necessary in this section but is better addressed in the subdivision chapter. See also the subdivision chapter – Part 13
338-6, 339-5, 340-5, 341-5	Retain rules 4.5.32 to 4.5.34. Support Non Complying Status for retail shop, office and industrial activities.	Support	Accept	In support of proposed plan
414-18	Whakatau block: We submit that purpose built commercial developments that have been lawfully established should be allowed to continue by virtue of plan rules and not simply reliant on existing use rights. Commercial activities fronting Ranolf and Pukuatua Street should be encouraged to continue. To this end, upgrading external alterations, etc, of existing lawfully established commercial buildings developed for office use should be permitted activities.	Support with amendment	Accept in part	The Committee accept in part this submission and agree that lawfully established uses will be able to continue without requiring an application for consent. Minor alterations and extensions of business uses will not have a significant adverse effect on the proposed character of the zone. They can therefore be permitted, subject to relevant performance standards. The submission point seeks amendments that will improve the administration and implementation of the Plan. See paragraph 4.6.6 below
441-6	Retain rules 4.5.32 to 4.5.34 as notified. Support Non Complying activity status for retail shop, office and industrial activities.	Support	Accept	Supports the proposed plan

Committee Reasons

4.6.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.

- 4.6.1 The proposals affecting this area change the emphasis from a mixed range of residential and commercial activities to primarily residential. In the long term the character of the area would be expected to change. However, the area contains non-residential elements and the proposed plan should take a reasonable approach to recognise existing lawfully established activity. The area includes premises that are in use as offices, medical and therapeutic services and tourist accommodation.

Provisions of the Proposed District Plan

- 4.6.2 The area is zoned as Residential 2 (high density). The rules and performance standards associated with that zone restrict commercial uses that were permitted or controlled under the operative plan, such as offices. The zoning signals the intended longer term change to the character of the area in order to restrict further migration of business uses from the city centre. Concentrating the location of business uses is in the interests of supporting the vitality and viability of the central area.
- 4.6.3 Home based businesses and bed and breakfast accommodation will be permitted activity but offices, shops are non-complying and tourist accommodation discretionary.

Submissions

- 4.6.4. The Committee accepts submission 414.13, noting the submitter supports the permitted status for household units and controlled status for additional units.
- 4.6.5 The Committee accepts submissions 338.6, 339.5, 340.5, 341.5 and 441.6 noting these submissions are supportive of making rule 4.5.32 and 4.5.34 as non-complying activities.
- 4.6.6 The Committee agree with submission 414.18 which seeks recognition of existing lawfully established uses. Rules 4.5.19A and 4.5.33A have been inserted to permit alterations and extensions of existing medical centres and office activities, which addresses the concern.
- 4.6.7 The Committee support the amendments to the activity table which will recognise that there are existing activities, which owners are likely to continue and wish to have the potential for reasonable expansion. The performance standards are an appropriate method of achieving the objectives of the plan to maintain the amenity values of the zone through managing the scale and extent of additions to the existing non-residential activities whilst allowing for extensions that will not adversely affect character and amenity of the zone.
- 4.6.8 The methods are effective in maintaining amenity values and efficient in managing the scale of non-residential activity without requiring resource consent for every minor addition and alteration as would be the case if the amendments are not made. The changes will reduce the potential costs to the land owner and contribute to the further development of thriving and varied businesses within this area.

4.7 Topic 7 - Risk from natural hazards, particularly flooding

NOTE: Submissions relating to natural hazards are addressed in the decision report for submissions across various chapters.

Summary Table submission points

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
500-71	Amend to include additional assessment criteria for specific activities (if they appear in the relevant zone) to include the following parameters; Areas for esplanade reserve acquisition; Rotorua and Rotoiti flood level; Areas of soft ground potential (subsidence and liquefaction); Areas of landslide potential. Reason: The present additional assessment criteria for specific activities does not cover these parameters. This is an incomplete list of the strategic overlay map series (200 series), which covers section 6 and 7 matters. It would be better to address the 200 map series in its entirety, from a protection of natural hazards perspective.	Support with amendment	Accept in part	See decision report for matters across various chapters

4.8 Topic 8 - On site amenity space

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
288-21	Amend to include an acknowledgement of the role of setting lot sizes and shape factors. Paragraph 2 of 4.2.2 - the size and shape set as subdivision standards should take into consideration the baseline ability to develop in accordance with the performance standards. If not the size and shape have been set incorrectly. The imposition of additional standards achieves amenity objectives.	Support with amendment	Accept in part	The Committee accept in part this submission because, although it is agreed that lot size and shape influences the quality of environment, this is more appropriate to the subdivision chapter and a number of submissions on this issue are addressed in that decision report. The submission seeks amendment that will improve the internal consistency and the clarity of the plan. see paragraph 4.8.5 below

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-9	<p>Review and amend 4.2.2 Para 2 - the size and shape set as subdivision standards should take into consideration the baseline ability to develop in accordance with the performance standards. The imposition of additional standards achieves amenity objectives. Top of page 4.4 do not appear to be rules requiring or encouraging this in the residential zones. If not the size and shape have been set incorrectly.</p> <p>Para 4 - it is beyond the scope of this plan to require "good insulation etc.". Need to re-write this section taking into account what can and cannot be required in terms of the RMA. Para 6 - this paragraph promotes infill housing as a method to facilitate additional housing but then discredits infill housing as a burden on amenity values. This paragraph needs to be re-written for general clarity and consistency.</p>	Support with amendment	Accept in part	<p>The Committee accept in part this submission and have considered it appropriate to include a reference, but are of the opinion that this issue is more appropriately dealt with in the subdivision chapter. It has made amendments to policies to refer to promotion and encouragement of sustainable building practices. Issue of infill housing identifies potential adverse effects that need to be addressed by applicants; it is not the intention to imply that infill is harmful to amenity.</p> <p>The submission point seeks amendments that will improve the internal consistency of the Plan and the clarity of the Plan for users.</p> <p>See paragraphs 4.8.5 and 4.8.6 below</p>
463-14	<p>Clause 4.6.4(a)(i), the words 'net site' area is opposed. This should be replaced with 'average area of all new sites'. The effect of including the words "net site" area into the average calculation will significantly reduce the number of lots with subdivision potential within the district. We would hope that Council would support infill subdivision as a means to allow for growth in the district.</p>	Oppose	Accept	<p>The Committee accepts this submission as site area is used as a method of maintaining the character of the zone. 'Net' area would mean excluding all shared common areas and vehicular and pedestrian access areas from calculation of average site area. These are unbuilt areas that maintain space around buildings. In effect such an approach would have a cumulative effect of increasing the unbuilt area around houses and altering the character of the zones. It would also rule out some lots that currently have subdivision potential under the operative plan. The amendment sought by this submission point will assist in achieving</p>

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
				the Councils objectives See paragraph 4.8.7 and 4.8.8 below
474-3	Replace words net site area with 'average area of all new sites'. In clause 4.6.4(a)(i) the words 'net site' area is opposed. There should be sufficient flexibility in areas to allow for a reasonable response to natural constraints existing on site. This will also support infill housing.	Oppose	Accept	The Committee accepts this submission as site area is used as a method of maintaining the character of the zone. 'Net' area would mean excluding all shared common areas and vehicular and pedestrian access areas from calculation of average site area. These are unbuilt areas that maintain space around buildings. In effect such an approach would have a cumulative effect of increasing the unbuilt area around houses and altering the character of the zones. It would also rule out some lots that currently have a subdivision potential under the operative plan. The amendment sought by this submission point will assist in achieving the Councils objectives See 4.8.7 and 4.8.8 below

Committee Reasons

- 4.8.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.8.1 The residential environment is comprised of both built and unbuilt elements. Successful design relies on how these elements interrelate and how they are used. Space around buildings provides for privacy, outlook, space for recreation and parking and contributes to the character and amenity of an area. In order to maintain the character and amenity of the different residential zones, space is managed through application of the rules and performance standards.
- 4.8.2 The purpose of the Act is to promote sustainable management of resources. Seeking to achieve this through the plan is therefore in accordance with that purpose. However building construction is subject to the Building Act and the Building Regulations require a specified standard for construction that includes qualities for insulation and glazing that are part of sustainable design. However there is still scope for the resource management process to

influence design through ensuring that sites can accommodate buildings that can make use of solar gain and through promoting principles during the application process.

Provisions of the Proposed District Plan

- 4.8.3 Performance standards in section 4.6 set out yards, site coverage and density requirements for the residential zones that reflect their different character. It also requires parking and turning space on site for each household unit and space to be maintained for outdoor amenity purposes – recreation, bin storage and a washing line for example.
- 4.8.4 Reference to principles of sustainable building design in the plan signals that the Council will promote good practice and encourage solutions that implement those principles. However it is recognised that the scope to require implementation of design principles through the plan is limited.

Submissions

- 4.8.5. The Committee accepts in part submissions 288.21 and 379.9 noting they are concerned that the residential environment is influenced by lot size and design factors. The Committee agree with the amendment that this be recognised in issue 4.2.2 as submitted. The submission point is also relevant to the site design criteria in the subdivision chapter which has been addressed in a separate decision report.
- 4.8.6 The Committee accepts in part the submission 379.9 which also questioned the inclusion of references to sustainable building principles such as building insulation as a matter for inclusion in the district plan. It is accepted that this is a matter that is controlled by the Building Act and therefore not appropriate to seek further control through the plan, but implementation of sustainable building principles is a desirable outcome. The Committee agree that the wording of the objectives and policies are amended to clarify that the intention is to encourage and promote these principles. Assessment criteria are also included to provide an opportunity to promote and consider the positive effects of a sustainable building design, such as orientation to maximise solar gain, use of renewable materials or grey water systems. (See also Topic 4.10 below)
- 4.8.7 The Committee agrees with submitters 463.14 and 474.3 who point out that the use of the term ‘net site area’ makes a considerable difference to how housing density is measured compared with the operative plan and therefore reduces the development potential of sites. This would affect the expectations of residents. The Committee have accepted these submissions to delete ‘net’, which will mean that the minimum site area will be generally equivalent to the operative plan. The change will have little effect on the quality of the environment, character and amenity levels across the residential zones.
- 4.8.8 The Committee are of the opinion that the change from ‘net’ will not be detrimental to the effective and efficient implementation of the objectives of the plan. Retaining ‘net’ would have the effect of increasing the minimum lot size that could be subdivided or developed with additional household units. Whilst this helps to ensure that new lots can provide reasonable and adequate open space, access parking and turning, there would be lost potential for some land owners of lots that would no longer meet the performance standard. The proposal to include ‘net’ would result in a small incremental increase of the space around buildings, but this benefit would not outweigh the economic and social costs of the lost potential and would not make a significant difference to amenity values.

4.9 Topic 9 - Infrastructure and district wide matters

NOTE: Network infrastructure and district wide matters are addressed in separate decision reports.

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
288-22	Amend 4.2.4 and elsewhere in the plan to relate to Rotorua district matters and those relevant to the zone. Rather than paraphrase section 6, it would be preferable to paraphrase Part 2 of the plan and highlight the significant features that are relevant to the residential zones.	Support with amendment	Accept in part	Matters of National Importance are addressed in a separate chapter See paragraph 4.9.6
447-13	<p>Seek that Issue 4.2.3 be amended as follows: "Issue 4.2.3 The Design & Location of Development can Adversely Affect the Efficient Operation of Significant Infrastructure. The design and location of development can generate adverse reverse sensitivity effects on significant infrastructure such as the road and transmission networks. Activities located on sites within the electricity transmission corridors, or those activities that generate effects that can affect traffic movement and safety of the road network must be managed so infrastructure can operate efficiently and safely". Complete any consequential amendments.</p> <p>Issue 4.2.3 should be explained more clearly so that those administering and using the plan are aware of adverse reverse sensitivity effects on the electricity transmission network.</p>	Support with amendment	Accept in part	<p>See also other submissions that have been made in relation to infrastructure and reverse sensitivity. Accepted that amendments can be made to clarify the plan. Reverse sensitivity is a matter that is relevant to the particular zone chapter (considerations will be different depending on the character of the zone) so it is appropriate to consider the issue within this part.</p> <p>See 4.9.5 paragraph below</p>
	FS 583 – 4 - RNZ supports the amendment proposed by Transpower, providing that: an appropriate definition of "reverse sensitivity" is included in the definition section of the Plan; and it is made clear that reverse sensitivity issues are an issue for all significant infrastructure providers, not only for the road and transmission networks.	Support	Accept in part	<p>As above</p> <p>See paragraph 4.9.5</p>
447-94	<p>That the following rules be added: RULE 48A, A change of use to a sensitive activity or the establishment of a new sensitive activity within the electricity transmission yard; Make Non-Complying in all zones. RULE 48B, Any building for a sensitive activity within the electricity transmission yard; Make Non-Complying in all zones.</p>	Support with amendment	Accept in part	Reverse sensitivity is an issue for the plan to address. Reverse sensitivity is a matter that is relevant to the particular zone chapter (considerations will be different depending on the character of the zone) so it is

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>RULE 48C, Any building within the electricity transmission yard that does not comply with one of the following conditions: (i) a maximum height of 1.5m or (ii) where it is demonstrated that safe separation distances are maintained under all transmission line operating conditions; Make Non-Complying in all zones. Complete any consequential amendments.</p> <p>Refer to reason provided in submission point 447.90</p>			<p>appropriate to consider the issue within this part.</p> <p>See paragraph 4.9.7 below</p>
	<p>FS 587 – 8 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See paragraph 4.9.7
447-95	<p>That that the following rule be added: Rule 50A, Earthworks within the electricity transmission yard that do not comply with the Performance Standards within Appendix 10; Make Non-Complying in all zones. Complete any consequential amendments. Refer to reason provided in submission point 447.90</p>	Support with amendment	Accept in part	<p>The proposed plan contains duplication and unclear and inefficient mechanisms to manage earthwork. The Committee supports this submission and has made earthworks a permitted activity with performance standards in Appendix 10. Failure to comply will move activity status to Restricted Discretionary. See paragraph 4.9.8</p>
	<p>FS 587 – 9 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	<p>See above</p> <p>See paragraph 4.9.8</p>
448-12	<p>Amend 4.2.3 to The design and location of development can adversely affect the safe and efficient operation of significant infrastructure.</p>	Support with amendment	Accept in part	<p>See also 451.28 requesting use of word 'strategic'.</p>

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	The NZTA supports Issue 4.2.3. NZTA request that "safe" is added to the issue statement to reflect the scope outlined in the full text.			See paragraph 4.9.5
	FS 583 – 1 - RNZ sought that issue 4.2.3 be retained, but has no objection to the amendment proposed by the New Zealand Transport Agency.	Support	Accept in part	See above
	FS 583 – 2 - RNZ sought that issue 4.2.3 be retained, but has no objection to the amendment proposed by the Powerco.	Support	Accept in part	See above
	FS 587 – 79 - Consistent with its original submission, Transpower supports the provision of an advice note alerting users to the requirement to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and the Electrical (Hazards from Trees) Regulations 2003. Both regulations are mandatory and set out safe separate distances to ensure public safety and preserve reliability of supply.	Support	Reject	See above See paragraph 4.9.9
	FS 550 – 161 -This relief sought will infringe upon existing land use rights for the current land owners. Only National Grid lines require any higher consideration that the existing land use.	Oppose	Accept	See above. The relief sought suggests advice notes that are unnecessary and potentially confusing to the interpretation of the plan. See paragraph 4.9.9

Committee Reasons

- 4.9.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.
- 4.9.1 Infrastructure is affected by other activities and has effects on the environment that should be managed by the district plan. However there is also control over how infrastructure can be developed or maintained through other regulations. Electricity transmission infrastructure for example is regulated by codes of practice. However the plan should work in parallel to other requirements, but it is not necessary to repeat matters that are addressed elsewhere.
- 4.9.2 Infrastructure can have a direct effect on the future development of land, e.g. residential use may be restricted because there would be an adverse effect on the future occupiers. There may also be reverse sensitivity effects whereby new residential activity close to infrastructure would have an element of risk and result in the necessity to alter or modify the infrastructure to resolve the conflict.

Provisions of the Proposed District Plan

- 4.9.3 The notified version of the plan sets out rules in table 4.5 for activity within an electricity transmission corridor. The relevant rules are 47 to 51.
- 4.9.4 Performance standard 4.6.12 and criteria 4.9.2.7 are intended to guide assessment of activity within a transmission corridor.

Submissions

- 4.9.5. 447.13 and FS583.4, 448.12, FS583.1 and FS583.2 request that the issue of effects on infrastructure is deleted from this chapter and relocated to the chapter dealing with infrastructure at a district wide level. This would simplify the plan and clarify the overall approach to this issue. The committee accepts the submissions.
- 4.9.6 288.22 submits that matters of district wide and of national importance should be dealt with in the chapter on strategic matters. The decision on this issue is discussed in submission across various chapters.
- 4.9.7 447.94 and FS587.8 seek the inclusion of rules relating to reverse sensitivity. Reverse sensitivity is a matter to be dealt with in the zone chapters, but it is considered that rule 48 as written adequately covers the submission and that a discretionary status is appropriate. Any application can be declined if there are adverse reverse sensitivity effects. Suggested rule 48C is written like a performance standard and refers to safe separation distances in a code of practice which does not need to be repeated in the plan. Performance standard 4.6.12 describes a maximum height and it is not necessary to write that restriction into a rule.
- 4.9.8 447.95 and FS587.9 relate to the provisions for earthworks within a transmission corridor. In consequence of the decisions relating to Appendix 10: Earthworks, the Committee has decided that the rule be deleted, all earthworks be considered a permitted activity and that the issue is managed through the performance standards in the appendix.
- 4.9.9 451.57, FS587.79, FS550.161 and FS587.79 relate to the inclusion of advice notes, however whilst one of the aims of the plan is to be clear and easy for the community to use, it is not the purpose of the plan to repeat matters that are dealt with in other documents or act as a comprehensive guide to the planning process. Inclusion of references to other documents carries a risk that the advice becomes outdated when the documents are superseded. Therefore the Committee rejects the submissions seeking to include advice notes.
- 4.9.10 Inclusion of objectives, policies and methods to achieve management of reverse sensitivity effects on infrastructure and established activities is appropriate to the district plan, as there are acknowledged adverse effects as a result of locating sensitive development close to infrastructure. The proposed methods require an application for resource consent where new sensitive development would be affected by aircraft noise or electricity transmission structures for example. This is an effective and efficient method for managing reverse sensitivity effects.
- 4.9.11 The costs to the utility network provider of mitigating reverse sensitivity effects could be significant if it is not managed through the plan. Similarly there would be adverse effects and potential costs to the occupiers of new development affecting the infrastructure.

<h2>4.10 Topic 10 - Sustainable Building Design Principles</h2>

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Reason
360-36	Objective 4.3.1 - Remove reference to sustainable and energy efficient houses from objective and policy or provide a rule with criteria and definition of what it means.	Support with amendment	Accept in part	See paragraph 4.10.5
360-50	Objective 4.3.1 and Policy 4.3.1.7 and Policy 4.3.5.1 - Support the introduction of sustainable buildings - Community development projects needs to be provided for in the District Plan. 1) Request that: Acknowledge other forms of sustainability - in terms of provisions for vegetable gardens on individual properties and community vegetable gardens; chickens and bees in appropriate zones. 2) Allow for developments in geothermal energy being taken up by those in appropriate zones so that if new geothermal energy sources / options are available in the next 10 years, local people can adopt them. 3) Encourage via policy - landlords making alterations to housing stock, endeavour to install sustainability features within the design of their development, to benefit future tenants. 4) Sustainability features need to be encouraged in commercial / industrial and innovation developments across the district.	Support with amendment	Accept in part	See paragraph 4.10.6
379-89	Review and redraft section 4.3.1 or delete as appropriate. Objective and policy is not related to the issue statement. It is not clear how some of the policies are implemented. Objective itself needs revising. Clarify freedom from disturbance. Can this form part of a District Plan? Likewise, clarify whether terms like "sustainable, warm and energy efficient" be required as part of a District Plan?	Support with amendment	Accept in part	See paragraph 4.10.5

Committee Reasons

- 4.10.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.

- 4.10.1 The purpose of the Act is to promote sustainable management of resources. Seeking to achieve this through the plan is therefore in accordance with that purpose. Building construction is subject to the Building Act and the Building Regulations require a specified standard for construction that includes qualities for insulation and glazing that are part of sustainable design. However there is still scope for the resource management process to influence design through ensuring that sites can accommodate buildings that can make use of solar gain and through promoting principles during the application process.

Provisions of the Proposed District Plan

- 4.10.1 Reference to principles of sustainable building design in the plan signals that the Council will promote good practice and encourage solutions that implement those principles. However it is recognised that the scope to require implementation of design principles through the plan is limited.
- 4.10.2 Objective 4.3.5 and policy 4.3.5.1 aim to promote development in a sustainable manner.
- 4.10.3 It is likely that advocacy and promotion will be the most effective means of implementing the objective. This may be through provision of advice, or negotiation on the design solution where an application is submitted.
- 4.10.4 Assessment criteria are included that signal that the Council will consider how the proposal addresses sustainable building design and assign weight to the positive or negative effects.

Submissions

- 4.10.5. The Committee accept in part submissions 360.36 and 379.89 noting the difficulty of including relevant and enforceable rules to promote sustainability within the plan. Amendments have been made that place more emphasis on promoting and encouraging sustainable building principles and also to create the flexibility on site to enable buildings to be located to maximise solar gain.
- 4.10.6 The Committee accepts in part submission 360.50 which request elements of sustainable building and living be included in the plan. Clarification of how the objective will be achieved is provided in response to submissions received. Sustainable principles are difficult to require through the planning process, but encouragement by weighing sustainable design elements positively when assessing applications for resource consent and by encouraging through advocacy and by providing information and advice are methods to implement such a policy. It is considered that the proposed provisions would not prevent the suggested activities and practices, but no specific rules to require them are necessary or reasonable.
- 4.10.7 The sustainable management of resources is clearly stated as the purpose of the Act and it is therefore appropriate to include objectives, policies and methods that pursue that purpose.
- 4.10.8 As discussed above, advocacy and promotion of sustainable building design principles are effective means of achieving the objectives. Assessment criteria are also included to indicate that some weight will be accorded to development that includes such principles. Although the plan does not require incorporation of sustainable building principles in design, it does indicate that the Council shall have particular regard to the matters identified in section 7 of the Act, the efficient use and development of natural and physical resources, the efficiency of the end use of energy and finite characteristics of natural and physical resources. Implementation of such matters has the potential to have significant long term benefits on the environment. The risks of not giving consideration to sustainable building principles include creation of new lots that are not capable of development making best use of solar gain, or inefficient building designs that are costly to heat and keep cool. The benefit of sustainable building practice is well documented.

4.11 Topic 11 - Signs

NOTE: The decisions on Signs are addressed in the decision report for submissions across various chapters.

Summary Table submission points

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-99	Amend 4.5.77 - Not clear why there is listed here temporary signs when there are rules in a sign section above.	Support with amendment	Accept	The Committee accepts the submission noting that the rules in the proposed plan are complicated and difficult to interpret. Sign provisions require amendment to clarify and simplify the rules. Signs are covered in other parts of the chapter. See 4.11.5
360-40	4.5.40 and 4.5.41 - These rules should make it clear that it relates to the temporary signs definition.	Support with amendment	Accept	The Committee accepts the submission noting that amendments are required to sign provisions throughout the plan to ensure consistency and clarity See 4.11.5
360-41	Align the rules with the definition for temporary signs which include site related temporary signs on notable tree.	Support with amendment	Accept	The Committee accepts the submission noting that amendments are required to sign provisions throughout the plan to ensure consistency and clarity see 4.11.5
298-27	That 4.6.10, relating to signs is amended to include permitted standards tailored to the heritage buildings in Appendix 1: Cultural Heritage Inventory, in particular items in A1.3 Historic Buildings and Structures. NZHPT seeks clarification regarding the relationship of the signage rules at 4.6.10 with the heritage items listed in Appendix 1.	Oppose	Accept in part	The provision does not function as intended and amendments are required to clarify the standards. See 4.11.6

Submitter Number - Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-111	Amend and remove 4.6.10 and elsewhere in each zone, to an appendix - The criteria for signs are lengthy and imply that signs are a greater issue than they really are. It is suggested that the criteria are contained in an appendix. 4.6.10.d.iii should be amended to 3m ² to reflect the area of an industry standard corflute sign which is 2.88m ² . The following relevant performance standards from each zone that this submission applies to are: Part 5 City Centre 5.6.10 & 5.7.10; Part 6 Commercial 6.6.10; Part 7 Industrial 7.6.9; Part 8 Business and Innovation 8.6.1.10, 8.6.2.10 & 8.6.3.10; Part 9 Rural 9.6.10; and Part 10 Community Assets & Water 10.6.9.	Support with amendment	Accept	The Committee accepts the submission noting that amendments are required to sign provisions throughout the plan to ensure consistency and clarity. The responses on this matter are dealt within the decision report for submissions across various chapters. See 4.11.7
	FS 585 – 15 - Opposes the suggestion that signage is of no concern. Signage can have an adverse impact on heritage and amenity values.	Oppose	accept	Amendments in response to other submissions will clarify the provisions regarding signage.

Committee Reasons

4.11.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.

4.11.1 Signage can have a significant impact on the environment. The economy of Rotorua attracts numerous temporary events, tourist attractions and businesses that seek to draw attention through advertising. Much of this is of a temporary nature and not necessarily related to the site on which it is located. Signage therefore affects the whole district, although some zones are better able to accommodate advertising structures without serious harm to their amenity and character. Residential zones are not characterised by business uses and associated advertising and therefore sufficient restrictions on signage are required to manage the effects in these zones.

Provisions of the Proposed District Plan

4.11.2 The plan seeks to manage signage through rules 4.5.38 to 44 and performance standards 4.6.10. Appendix 8 contains specific provision for a number of approved sites for signage that is not site related.

4.11.3 The intention is to permit a reasonable level of signage for the zones, such as real estate agent signage and a reasonable amount of on-site advertising associated with business uses.

However in an effort to describe the size, position and circumstances where signage can be permitted without affecting residential character, the proposed performance standards and rules are lengthy and difficult to navigate and interpret.

Submissions

- 4.11.4 The broad subject of signage is addressed in the decision report on submissions across various chapters.
- 4.11.5 The Committee accepts the submissions by 379.99, 360.40 and 360.41 which refer to a confusing structure and duplication. The Committee has made amendments that clarify and simplify the plan in relation to signage, and in fact have deleted all reference to signage in this chapter and locate in Appendix 8.
- 4.11.6 298.27 Seeks clarity regarding signage associated with historic buildings. Historic buildings are particularly sensitive to an adverse effect from signage that is not designed to be in keeping with the building. The Committee decided to amend the plan to clarify the intention.
- 4.11.7 379.111 Suggests that the whole subject of signage and the structure of the plan should be the subject of a review and simplification. The proposed alteration to the maximum standard area to reflect the common size used in the industry is also considered a reasonable amendment. This submission is discussed in the decision report for submissions across various chapters.

4.12 Topic 12 - Miscellaneous

Summary Table submission points

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
379-91	Review and amend 4.3.4 - These policies apply to non-residential activities around Ngapuna - if the land is not zoned residential then these policies belong in the industrial zones.	Support with amendment	Accept	The Committee accept the submission and note that the suggested amendment will correct an error, in that the objective should be included in the industrial chapter The minor amendments are necessary to assist the understanding of and administration of the District Plan.
	FS 582 – 17 - Supports Objective 4.4.4 and Policies 4.4.4.1 4.4.4.2 being relocated to the Part 7.	Support	Accept	The Committee accept the submission and note that the suggested amendment will correct an error, in that the objective should be included in the industrial chapter The minor amendments are necessary to assist the understanding of and administration of the District Plan.

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
463-12	Item 67 to be permitted in zones 1, 3 and 4. Unreasonable for future additions to be discretionary.	Support with amendment	Accept in part	See paragraph 4.12.8
463-3	Delete fault lines from plan. All fault lines on planning maps are opposed. Chance of event is 1 in every 500-10,000 years, therefore is over-encumbering future building development. Oppose all subsequent rules relating to new habitable building located within the fault avoidance area. (Table 4.5.71, Table 7.5.70, Table 9.5.86)	Oppose	Reject	The issue covers all zones and is addressed in the decision report for matters across chapters. This will ensure a consistent approach to natural hazards.
463-59	Delete rule 4.5.71. All fault lines on planning maps are opposed. Chance of event is 1 in every 500-10,000 years, therefore is over-encumbering future building development. Oppose all subsequent rules relating to new habitable building located within the fault avoidance area.	Oppose	Reject	The issue covers all zones and is addressed in the decision report for matters across chapters. This will ensure a consistent approach to natural hazards.
458-4	Replace the marae height buffers shown on the planning maps and described in Rule 4.6.1(c) with site specific buffers and view-shafts or corridors prepared for each marae that have regard to wharehenui location and wharehenui view-shafts. Council investigate and consult with relevant Marae Committee regarding urupā and associated tupuna buffers and view-shafts. The Trust supports the Marae Protection Areas. The view shafts from marae to areas and places that are of cultural, spiritual, traditional significance to hapū and iwi and recognised as tāonga. The Trust encourages further discussion.	Support	Reject	The Committee has heard the evidence presented by Te Arawa Lakes Trust, however it decided not to changer the plan at this time as further research into the circumstances of each Marae is required, it will be better dealt with as part of a rolling review and plan change. See paragraph 4.12.9
463-6	The following Rules and provisions are opposed: Rule 4.6.1(a); appendix A6.12 (a.6.12.1.2 clauses 3-11); Planning Map 208; Appendix A7.6. These height rules are confusing and do not provide clarity on when compliance is achieved. Map 208 for example has graduated colouring and coupled with the scale of the map it is very difficult to determine what colour a property is located in. Appendix A7.6 seems to have had maximum height levels surveyed for certain sites. These sites seem to have been picked as "winners", rather than a blanket rule over the District relevant to the airport. Many properties have missed out, which mainly include	Oppose	Reject	The Committee has heard the evidence presented by Stratum Consultants Ltd, however it supported the recommendation in the s42A report as the rule is clear (although the planning map is difficult to use due to the scale) This submission point seeks amendments that would reduce the effectiveness and efficiency of the Plan in terms of achieving its stated objectives and policies and the purpose and principles of the RMA.

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
	existing development residential and commercial areas, i.e. the CBD.			See paragraph 4.12.11
379-94	Review and amend 4.5.9 - Not clear if this is houses in the approved comprehensive development plan or part of the approval process.	Support with amendment	Accept	<p>The Committee have accepted this submission point as the process for a comprehensive development plan is unclear. Some guidance is required to clarify the intention of the rules and the provisions for housing. The submission point seeks amendments that will improve the clarity of the Plan for users and the administration and implementation of the Plan.</p> <p>See paragraph 4.12.10</p>
379-106	Include process in 4.6.4.b.i - Clarify what the process is for approving a comprehensive residential development plan.	Support with amendment	Accept	<p>The Committee accept this submission point that this process and the related rule are unclear and that amendment is required to clarify the plan.</p> <p>The submission point seeks amendments that will improve the clarity of the Plan for users and the administration and implementation of the Plan.</p> <p>See paragraph 4.12.10</p>
360-307, 360-52	4.6.9b and 9.6.9b - ...where deemed to be required...' how will this process work? - Clarify process.	Support with amendment	Accept	<p>The Committee accept this submission noting the rule lacks clarity and certainty and cannot be implemented without a prior application to determine when the information will be deemed to be required.</p> <p>The submission point seeks amendments that will improve the clarity of the Plan for users and the administration and implementation of the Plan.</p> <p>See paragraph 4.12.12</p>
379-110	Clarify and correct text in 4.6.9.f - NZTA to be consulted - not clear for what purpose or what this is intended to achieve. Conflict in the controls as 4.6.9.a only identifies glare and light that must be complied with while 4.6.9g discusses glare light and noise.	Support with amendment	Accept	<p>The Committee accept this submission that the provision does not function as intended and amendments are required. It is not clear to what end the consultation is required and third party approval should not be a matter</p>

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
				required by a rule in the plan. The submission point seeks amendments that will improve the clarity of the Plan for users and the administration and implementation of the Plan. See paragraph 4.12.13
	FS 582.18 - The direction to consult with the NZTA is to ensure that effects on the state highway network are adequately managed.	Oppose	Reject	See above
448-49	Insert an assessment criterion into 4.8.2, 5.9.1, 6.8.2. 9.8.2 to read: "How the activity will avoid, remedy or mitigate reverse sensitivity effects on the State Highway network." NZTA seeks to include performance standards to manage reverse sensitivity effects on state highway networks. Where these are not complied with, a restricted discretionary consent shall be required.	Support with amendment	Reject	The Committee has responded to this submission in the decision report for decisions across various chapters.
FS 583-7	RNZ is also seeking addition of a new assessment criterion. If the New Zealand Transport Agency's proposed criterion is added, RNZ still seeks that the full wording of RNZ's proposed criterion is retained in full.	Support	Reject	See above
Lakeside submitter s 77-31, et al	Amend the discretionary activities methods of assessment in section 4.9 or to insert "where relevant" to ensure the matters and criteria are appropriately applied. These matters are unduly wide and allow assessment of many matters unrelated to a number of the activities to which they are intended to apply. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.	Oppose	Accept	The Committee accepts the submission noting the criteria contained ambiguities and unclear wording. These have been rewritten to follow more closely best practice and clarify the matters that will be considered. The submission point seeks amendments that will improve the clarity of the Plan for users and the administration and implementation of the Plan.
	FS 554 – 31 - It promotes and protects the public and private interests.	Support	Reject	See above
516-31	Withdrawn			

Submitter Number-Point	Summary of Submission	Submitter position	Decision	Reason
	FS 554 – 57 - It promotes and protects the public and private interests.	Support	Reject	See above
331-14	Amend section 4.8.2.3 to provide for Lot 16 DP 377169 in Western Road, Ngōngōtahā to be assessed in accordance with stormwater management reserves criteria listed in a5.3.6.3 (page a5.14). This being the lower land along Western Road, which is now being affected by water overflow from a new subdivision.	Support with amendment	Reject	The Committee has heard the evidence presented by Everard Developments Limited, however it decided not to change the plan as this provision relates only to the Wharenui Road area. The site can be considered for vesting in accordance with the other rules in the plan, no specific change is required.

Planning Considerations

- 4.12.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee’s reasons.
- 4.12.1 This group of submissions addresses a number of matters. Most relate to the structure of the plan, how hazards are addressed or clarity of purpose and meaning. It is accepted that these are matters that do require amendment.
- 4.12.2 Rules need to be written in a way that is clear, precise, enforceable and capable of being understood by the community.

Provisions of the Proposed District Plan

- 4.12.3 There are district wide issues of consistency across the plan and changes have been made to ensure that each chapter approaches rules, performance standards and assessment criteria in a consistent manner and that they are written clearly and concisely. Matters that are relevant to all zone chapters have been amended to appear in parts 1, 2 and 3 rather than repeating in each chapter.
- 4.12.4 The intention of rule 4.5.9 is to provide for high density development that does not meet the performance standards where it is designed for the specific site. It is intended to apply primarily to the Residential 2 zone. Rather than default to a non-complying application, a development in accordance with a residential development plan for the whole site can be considered as a controlled activity. The rule is designed to make the process of developing a well-designed residential scheme easier and therefore encourage good design.
- 4.12.5 Part 3 of the plan deals with development of Marae. However there are parts of chapter 4 that are relevant, such as the performance standards relating to the Marae protection areas. These areas are close to the Marae boundaries and there are no provisions that take account of the wider relationship that may exist of Marae with landscape features. No research has been carried out to justify inclusion of broader protection areas.

- 4.12.6 Temporary activities and events, including signage are district wide matters. The aim of the plan is to enable many temporary activities to be carried out without requiring an application for resource consent.
- 4.12.7 Similarly reverse sensitivity is a district wide matter that has implications for each zone chapter. There are submissions that suggest that there should be additions to the plan to address this matter.

Committee Reasons

- 4.12.8 The response to submissions 423.102, 463.12, 463.3 and 463.59 will be addressed in the decision report for submissions across various chapters.
- 4.12.9 The Committee has heard the evidence presented by submission 458.4 however it decided not to change the plan at this stage. Although there is merit in including the provisions submitted as a means to protect the special relationship of Marae with the surrounding land, a generic performance standard is not feasible. Each Marae will have its own relationships and further consultation will be required to establish such matters of importance.
- 4.12.10 The Committee agree with Submissions 379.94 and 379.106 which question the clarity of rule 4.5.9 and performance standards (see 4.12.5 above). The Committee agree with the submitter and amendment has been made to 4.5.9. The definition in part 17 has also been amended.
- 4.12.11 The Committee have heard the evidence presented by submitter 463.6 which seeks removal of the provisions relating to the air traffic obstacle limitation surface shown on Map 208. However, the Committee decided not to remove the provisions. Whilst it is the case that the map is difficult to interpret, the rule itself is considered to be clear and the appendix provides approval by the requiring authority for specific sites with development potential.
- 4.12.12 The Committee agree with submissions 360.307, 360.52, 448.49 and 77.31 et al which all draw attention to imprecise wording of these rules. 4.6.9b has been deleted.
- 4.12.13 The Committee agree with submission 379.110 and in response and as part of wider changes to clarify standard 4.5.9, 'a', 'b' and 'f' have been deleted as these were unclear, inconsistent or result in duplication. An introductory phrase clarifies how this standard should be applied alongside the rest of section 4.6.

4.13 Topic 13 - No material change to the purpose and intent of the plan.

Summary Table submission points

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
298-19	That the Introduction of the Residential 3 Zone be retained as notified. Supported as it gives effect to section 6(e) of the RMA.	Support	Accept	See paragraph 4.13.1
379-78	Correct typos and avoid duplication but retain section 4.1 - Support the description of the zones.	Support	Accept	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
78-2	Retain issue 4.2.3 as notified. Supports recognition that inappropriate residential development may have reverse sensitivity effects.	Support	Accept in part	See paragraph 4.13.1
162-9	Connecting lakeside settlements to wastewater will help to enhance water quality. Support intent.	Support	Accept	See paragraph 4.13.1
246-8	That Council adopts the statutory framework for residential areas and include driveway safety information in the residential design guidelines. Toi Te Ora specifically supports Council in ensuring that high quality urban design is utilised when planning residential sites, and in particular, infill housing (4.2.2).	Support	Accept	See paragraph 4.13.1
298-20	That the Issue 4.2.4 "Development has the potential to reduce the values associated with identified matters of National Importance", be retained as notified. Supported as this issue emphasises the importance of historical heritage.	Support	Accept in part	See paragraph 4.13.1
331-4	Amend the term 'particularly taller tree' by stating what size of tree is being referred to.	Support with amendment	Reject	See paragraph 4.13.1
338-5, 339-4, 340-4, 341-4	Include issues that relate to objective 4.4.2. The objective and policy do not relate to any of the 5 identified issues for this zone. The zone issues should include the need to restrict non-residential activities more appropriate in other zones.	Support with amendment	Reject	See paragraph 4.13.1
370-23	4.2.1 - The last sentence of this issue is supported as recognising the adverse effects residential development can have on the natural character of lakes and rivers.	Support	Accept	See paragraph 4.13.1
370-24	4.2.4 - The Department accepts protecting Matters of National Importance provided that Part 2 is amended, as requested. It is noted that notable trees are not a matter of national importance unless they are captured by one of the matters of Section 6. Remove notable trees from this section.	Support	Accept	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-81	Review and amend 4.2.3-4.2.5 - The objectives and policies for these issues are in Part 2. Rather than repeat them in each Part they could be placed in Part 2 and 3.	Support with amendment	Accept	See paragraph 4.13.1
379-82	Amend section 4.2.4 to relate to Rotorua District Council matters. Rather than paraphrase section 6, it would be preferable to paraphrase Part 2 of the plan and highlight the significant features that are relevant to the residential zones.	Support with amendment	Accept in part	See paragraph 4.13.1
	FS 583 – 3 - RNZ supports the retention of Issues 4.2.3-4.2.5 in the Residential Chapter, in particular Issue 4.2.3. It is appropriate that these issues are in the same chapter as the related objectives, policies and rules that specifically apply in the residential area.	Oppose	Accept in part	See above
441-5	Include an issue that relates to objective 4.4.2 and policy 4.4.2.2. The objective and policy do not relate to any of the 5 identified issues for this zone. The zone issues should include the need to restrict non-residential activities more appropriate in other zones.	Support with amendment	Reject	See paragraph 4.13.1
520-21	Amend policy 4.2.1, subsection 'Residential 4' so that satellite rural areas such as Rotomā, Rotoehu and Rotoiti are not required to connect to the sewerage reticulation network.	Oppose	Reject	See paragraph 4.13.1
70-2	Amend environmental outcome 4.3.2 by including a clause to introduce more pedestrian crossings. We must increase pedestrian safety.	Support with amendment	Reject	See paragraph 4.13.1
360-48	Environmental Outcome number 8 could be deleted. Number 7 could read "A reduction in adverse effects on noise sensitive activities located in proximity to the State Highway Network".	Support with amendment	Accept	See paragraph 4.13.1
	FS 577 – 8 - There is no definition of "proximity". Subjective.	Oppose	Accept in part	Proximity is imprecise, but this is an outcome for which the methodology for assessment does not need to be fully defined in the plan. The plan notes that 'the performance indicators will be developed'

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-83	Delete or redraft section 4.3/1. The measurement of this outcome will be difficult to achieve in real terms and may not be warranted..	Support with amendment	Accept in part	See paragraph 4.13.1
379-84	Delete or redraft 4.3/2 - This outcome reads like a promotional statement, this is not a Plan concern in terms of the RMA.	Support with amendment	Reject	See paragraph 4.13.1
379-85	Review and redraft 4.3.3 - Clarify how this will be measured.	Accept	Reject	The Committee agree with the submitter that 4.3.3 required clarifying
379-86	Retain 4.3/4 - Support this measure although it may be hard to measure.	Support with amendment	accept in part	The Committee accept this submission in part, however changes have been made to 4.3.4 in response to other submitters.
379-87	Review and redraft 4.3/5 and 6 - On the one hand passive surveillance is required to improve public safety yet vegetation is supported in 4.3.5 and vegetation can be more of a risk to public safety than fences etc. - how will passive surveillance be achieved.	Support with amendment	Accept in part	See paragraph 4.13.1
379-88	Consider and incorporate section 4.3. Suggestion that a measure of the effectiveness of the residential zones would be the number of applications for development which seek changes to the permitted activities or performance standards - if the policy framework is enabling then the number of changes sought should be low.	Support with amendment	Accept in part	See paragraph 4.13.1
448-13	Amend 4.3(7) to read: " reverse sensitivity effects of noise sensitive activities on the State Highway network are avoided, remedied or mitigated. NZTA requests that the text be amended to recognise that reverse sensitivity effects can be avoided, remedied or mitigated. NZTA also seeks amendment to recognise that reverse sensitivity effects are created by the land use activity that is introduced in close proximity to a lawfully established activity to which it is sensitive, rather than created by the State Highway network itself.	Support with amendment	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>FS 577 – 7 - NZTA has on going control over many variables in the construction and maintenance of the State Highway and the road corridor. It is not purely a land use activity that is introduced in close proximity which creates conflict. The existing designation fails to include any conditions or constraints. It is unreasonable to impose conditions and costs on adjoining landowners in the absence of adequate controls on the RCA.</p>	Oppose	reject	
331-5	<p>Amend policy 4.3.1.8 by providing a reference to the section in the plan that defines "Electricity Transmission Corridor" and clarifies what is it, if there is more than one size, if it includes poles or pylons, if it is above or below the ground.</p>	Support with amendment	Accept in part	See paragraph 4.13.1
	<p>FS 587 – 64 - Through its original and further submission Transpower has sought to clarify the corridor management approach, both in terms of how the corridor' is defined and how it is applied. The sought approach is for the provision of a 10-12m wide transmission yard (either side of the transmission line or structures) where sensitive activities will generally not be provided for, and that the operation, maintenance, upgrading and development of the National Grid is not compromised. Such an approach is consistent with Policies 10 and 11 of the NPSET. Beyond 12m from the centre line Transpower's submission simply seeks an integration of land uses through the design and layout of the subdivision. Transpower is not seeking a wider corridor to manage land use activities.</p>	Support	Accept in part	See above
360-16	<p>Suggest remove the word garden from policy 4.3.1.3. Amenity space should cover it as long as amenity space is defined.</p>	Support with amendment	Accept in part	See paragraph 4.13.1
	<p>FS 563 – 1 - Support for reasons stated in the submission.</p>	Support	Accept in part	See above
360-35	<p>Objective 4.4.1 - Reconsider the need for pedestrian friendly environment in private residential properties.</p>	Support with amendment	Accept in part	See paragraph 4.13.1
412-3	<p>Retain as notified. Support Part 4 Residential objectives & policies that facilitate the future development of Lot 2 DPS 48813 (39 Waikuta Road) to the same or greater density than anticipated by the existing Residential B zone in the Operative District Plan.</p>	Support	Accept	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
447-14	<p>Seek that Policy 4.4.1.8 be amended (and renumbered to follow Objective 4.4.5) as follows: Policy 4.4.5.5 - Enable the safe, secure and efficient operation of the existing electricity transmission network while providing for residential development and other sensitive development in a way that avoids high hazard areas within the electricity transmission corridor". Complete any consequential amendments.</p> <p>Policy 4.4.1.8 is not consistent with the NPSET in particular policy 10 and 11. It is sought that the policy be amended to protect electricity transmission networks through the implementation of development buffers.</p>	Support with amendment	Accept in part	See paragraph 4.13.1
9-1	<p>Policy 4.4.2.4 should be removed from the plan. Seeking to control the location of (other) community facilities is discriminatory. The location of community facilities must be permitted, not discretionary.</p>	Oppose	Accept in part	See paragraph 4.13.1
	<p>FS 525 – 2 - Lakes DHB have a financial interest in seeing that 4.4.2.4 be removed and impacts adversely on the mental and physical health and human rights of the majority and their ability to live peacefully in their own homes. Keep 4.4.2.4 and expand on it. Make community housing a discretionary or restricted activity. There should also be more succinct definitions of what constitutes a community facility.</p>	Support	Reject	See above
62-1	<p>Remove objective 4.4.2 The reference to a non-residential activity having to "contribute to the community" we believe this breaches Article 19 of the United Nations Convention of the Rights of People with Disabilities, the Human Rights Act 1993 s53(1) and 53(2) and the New Zealand Bill of Rights Acts 1990 s18(1).</p>	Oppose	Reject	See paragraph 4.13.1
	<p>FS 525 – 1 - Lakes DHB have a financial interest in seeing that 4.4.2.4 be removed and impacts adversely on the mental and physical health and human rights of the majority and their ability to live peacefully in their own home. Keep 4.4.2.4 and expand on it. Make "community housing" a discretionary or restricted activity.</p>	Oppose	Accept in part	See above
338-4, 339-3, 340-3, 341-3	<p>Retain objective 4.4.2 and policy 4.4.2.2 as notified. Support the objective and policy to restrict location of non-residential activities in residential zone.</p>	Support	Accept	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
360-37	4.4.2.4 is not worded properly. Change to "of Daycare centres and community facilities".	Support with amendment	Accept in part	See paragraph 4.13.1
379-90	<p>Amend and tighten wording in 4.4.2. This objective is key in the transition between commercial and residential activities. The policies need to be tightened using much stronger language if the interface between commercial and residential activities are to be managed properly: 4.4.2.1 control needs to be much firmer; 4.4.2.2 restrict should be prevent the establishment of?.; 4.4.2.5 implies that if these effects are controlled then non-residential activities will be acceptable.</p> <p>We suggest that there could be a policy to direct these activities to arterial routes where the environment is already modified and more resilient. One suggestion is that a similar approach could be taken to the Industrial 1E zone by showing sites fronting the key arterials hatched on the planning maps and appropriate for non-residential activities.</p>	Support with amendment	Accept in part	See paragraph 4.13.1
405-3	The density of community housing in one location or area will have a negative effect on the quality of residential amenity. Add Community Housing to policy 4.4.2.4.	Support with amendment	Accept in part	See paragraph 4.13.1
441-4	Retain objective 4.4.2 and policy 4.4.2.2 as notified. Support the objective and policy to restrict location of non-residential activities in residential zone.	Support	Accept	See paragraph 4.13.1
463-8	Reword objective 4.4.2 - This objective is unclear and needs to be reworded so its meaning can be understood.	Support with amendment	Accept in part	See paragraph 4.13.1
	FS 563 – 2 - Support for reasons stated in the submission.	Support	Accept	See above
298-21	That the Objective 4.4.3 and Policies 4.4.3.1 and 4.4.3.2, be retained as notified. Supported as this gives effect to section 6(e) of the RMA.	Support	Accept in part	See paragraph 4.13.1
412-4, 412.5	Retain as notified. Support Part 4 Residential objectives & policies that facilitate the future development of Lot 2 DPS 48813 to the same or greater density than anticipated by the existing Residential B zone in the Operative District Plan.	Support	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
298-22	That Objective 4.4.4 and Policies 4.4.4.1 and 4.4.4.2, be retained. Supported as this gives effect to section 6(e) of the RMA.	Support	Accept in part	See paragraph 4.13.1
78-3	Amend 4.4.5 to insert "and ensures reverse sensitivity effects on network utilities and other infrastructure do not occur" at the end of the objective and delete the word 'and' before the word 'maintains'. Residential development should be planned in a way that ensures reverse sensitivity effects do not occur.	Support with amendment	Accept	See paragraph 4.13.1
78-4	Insert new policy 4.4.5.5: "Ensure that the operation, maintenance and upgrading of network utility operations and other infrastructure is not constrained by reverse sensitivity effects resulting from inappropriately located residential development". New policy required to recognise in particular the RNZ site that residential development may impact on existing network utility activities, and other infrastructure.	Support	Accept	See paragraph 4.13.1
419-3	Policy 4.4.5.1 - move to the Subdivision chapter as it is hard to achieve if it is already built.	Oppose	Reject	See paragraph 4.13.1
27-8	Add "RDC shall be more inclined to favour all new development subdivision or single house that have had a design review done by a registered architect. For those who are not able to afford the services of a registered architect, one will be provided from the panel of approved RDC architects at RDC cost. Street front of any residential development should be supported with an architectural explanation justifying material security, uniformity, spatial experience and many other contents. RDC should engage New Zealand institute of architects to provide a review of every proposal as enhancement help for the developers.	Support with amendment	Reject	See paragraph 4.13.1
246-7	The objectives, policies, and rules proposed for the residential zone are generally supported.	Support	Accept in part	See paragraph 4.13.1
392-5	Include a new objective, which reflects the first sentence of the third paragraph of section 4.2.1, which states "The Plan sets out a framework to enable residential activity without imposing excessive controls". This statement should be a specific objective rather than being lost in the introductory paragraph.	Support with amendment	Reject	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-93	Review and clarify 4.5.2 - Special land features should be identified in the issues at least as this is the first mention in this section. In fact they do not appear to be mentioned in Part 2 either.	Support with amendment	Accept in part	See paragraph 4.13.1
392-9	Rule 4.5.4 should be amended to a discretionary activity status. Rule 4.5.4 provides non-complying activity status to any activity not expressly stated. This approach is inconsistent with the enabling nature of the Act.	Oppose	Reject	See paragraph 4.13.1
408-5	Remove conflict between RD 3 and Part 3 for example for educational facilities. Rule 4.5.3 states 'stricter status applies'	Support with amendment	Accept	See paragraph 4.13.1
246-13	That Council adopts rule 30 to 35 contained in table 4.5, Activities in Residential Zones. Council's intention to restrict non-residential activities such as retail and office activities in the residential zones is generally supported.	Support	Accept	See paragraph 4.13.1
331-8	Amend rule 49 by changing 'sensitive' to 'sensitive activity' and clarify in the rule if the construction of a drive way within 5m from a power pole is allowed.	Support with amendment	Accept in part	See paragraph 4.13.1
360-42	The maps don't distinguish between the inner and outer transmission corridor but the rules do. Provide clarity.	Support with amendment	Reject	See decision report for submissions across various chapters. See paragraph 4.13.1
	FS 587 – 83 - In its original submission, Transpower sought amendment to the Electricity Transmission Corridor Management approach in terms of identification of an Electricity Transmission Corridor and Electricity Transmission Yard, as defined in definitions. Transpower supports in principle distinguishing between the sought Transmission yard and corridors on the planning maps, but given the scale of the maps and that the terms are defined through definitions, the exact benefits of showing the yard and corridor on the maps are unclear.	Support	Reject	The plan uses the term corridor consistently throughout the plan. See decision report for submissions across various chapters.
447-15	That the title for rules 47 - 51 be amended as follows to provide consistent terminology: "ACTIVITY WITHIN AN ELECTRICITY TRANSMISSION CORRIDOR". Complete any consequential amendments.	Support with amendment	Accept in part	See decision report for submissions across various chapters. See paragraph 4.13.1
	FS 587 – 59 - In order to provide consistent terminology throughout the Proposed Plan, Transpower seeks	Support	Reject	See decision report for submissions across various

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>references to "Electricity Transmission" be replaced with "National Grid". This includes that the Electricity Transmission Corridor and Electricity Transmission Yard become the National Grid Corridor and National Grid Yard respectively. Feedback that Transpower has received from stakeholder's is that people understand the term National Grid but not Electricity Transmission.</p>			chapters. .
	<p>FS 587 – 1 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.
	<p>FS 593 – 83 - There is no need for such extensive provisions as existing legislation is more than adequate to provide such matters as earthworks and trees.</p>	Oppose	Accept in part	Rules in the plan should address resource management matters and not matters that are addressed through other statutory documents.
447-90	<p>That Rule 47 be amended as follows: The following activities, buildings and structures within the electricity transmission yard,(i) Buildings and structures that comply with the Electricity Transmission Corridor Performance Standards. (ii) Mobile machinery and equipment. (iii) Network utilities and electric power generation infrastructure that connects to the national grid (iv) fences up to 2.5m high; Make permitted in all zones. As an alternative Transpower would accept the provisions of a specific suite of provisions within the Network Utilities Chapter. Complete any consequential amendments.</p> <p>Inappropriate development, land use and subdivision in close proximity to the National Grid can compromise its operation. Inappropriately sited buildings can present a risk to the safety and integrity of transmission lines. These include the loss of physical access to the infrastructure, or restrict the efficient operation of the electricity network. Encroachment can also raise concerns about amenity and perceived health and safety issues. Uncontrolled earthworks can also undermine the support</p>	Support with amendment	Accept in part	See decision report for submissions across various chapters.

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>structures or generate dust, and inappropriate earthworks can adversely affect the national grid. It is critical that the framework is able to address all potential adverse effects of development. Transpower supports the intent of Rules 47-51, however, it is requested to be modified to reflect the refined Transpower approach to corridor management. Transpower seeks that only 'inappropriate' development be avoided in close proximity to transmission lines and that it is managed through the resource consents process.</p>			
	<p>FS 587 – 4 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.
447-91	<p>That Rule 48 be amended as follows: Any new sensitive activities and associated building structures located within electricity transmission yard; Make Non Complying in all zones. Complete any consequential amendments. Refer to reason provided in submission point 447.90</p>	Support with amendment	Accept in part	See decision report for submissions across various chapters.
	<p>FS 587 – 5 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.
447-92	<p>That Rules 49 be amended as follows: Any building closer than 12 metres to the outer edge of a transmission line support structure; make Non-Complying in all zones. Complete any consequential amendments. Refer to reason provided in submission point 447.90.</p>	Support with amendment	Accept in part	See decision report for submissions across various chapters.

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>FS 587 – 6 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.
447-93	<p>That Rule 50 be amended as follows: Earthworks within the electricity transmission yard subject to compliance with the earthworks Performance Standards within Appendix 10; Make Permitted in all zones. Complete any consequential amendments. Refer to reason provided in submission point 447.90</p>	Support with amendment	Accept	See decision report for submissions across various chapters and for Appendix 10.
	<p>FS 587 – 7 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	<p>Earthwork is dealt with by making it a permitted activity and revising performance standards in appendix 10</p> <p>See decision report for submissions across various chapters and appendix 10.</p>
447-103	<p>That rule 51 be amended as follows: "Any other activities, buildings, or structures located within the electricity transmission corridor, not provided for above". Make permitted across all zones. Refer to reason provided in submission point 447.90</p>	Support with amendment	Reject	See decision report for submissions across various chapters.
	<p>FS 587 – 12 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
298-23	<p>The NZHPT support the permitted activity status for Rule 52 subject to the following amendment: "Internal alterations, maintenance and repair of heritage structures and sites listed in Appendix 1 in accordance with the standards in Appendix A".</p> <p>The RMA defines the term "structure as meaning "any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft and suggests therefore that the word structure is used, rather than buildings and structures.</p>	Support with amendment	Accept in part	<p>See also decision report for Parts 1 and 2.</p> <p>The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.</p>
298-24	<p>Retain Rule 53 and the discretionary activity status, subject to amendments as follows:</p> <p>"Additions and external alterations ... heritage structures listed in Appendix 1". The related assessment criteria include the term "additions" and therefore seek that the term 'additions' is included within Rule 53. The RMA defines the term "structure" as meaning "any building" and suggests therefore that the word structure is used, rather than buildings and structures.</p>	Support with amendment	Accept in part	<p>See also decision report for Parts 1 and 2.</p> <p>The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.</p>
298-25	<p>That Rule 54 and its discretionary activity status are retained within the proposed plan and in regards to archaeological sites that Rule 54 be applied to significant sites only.</p> <p>That other archaeological sites that are not deemed as significant can be processed through an archaeological authority process with the NZHPT. An advice notice should be inserted into the proposed plan to guide the reader to the NZHPT to apply for the Archaeological Authority.</p>	Support with amendment	Reject	<p>See also decision report for Parts 1 and 2.</p> <p>The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.</p>
298-26	<p>That the non-complying activity status for Rule 55 in Table 4.5 (Activities in the Residential Zone) be retained, subject to the amendment of the rule to read: "Demolition or re-siting of a heritage structure listed in Appendix 1". Suggests that the word 'structure' is used rather than 'building and structure'.</p>	Support with amendment	Accept	<p>See also decision report for Parts 1 and 2.</p> <p>The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.</p>
360-34	4.5.52 and 53 - Internal alteration should have some degree of control in all cases.	Support with amendment	Accept in part	<p>See also decision report for Parts 1 and 2.</p> <p>The Committee decided to amend the</p>

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
				rule, but noted that other submissions regarding clarity and consistency are also relevant.
427-139	Requested that Rules 4.5.52 to 4.5.56 be relocated to Part 3. Corresponding rule changes are required to avoid any duplication or inconsistencies. It's understood that the purpose of having Part 3 is to establish objectives and policies which apply throughout the district to the national and district matters or strategic importance. Plan should be reformatted so that Part 3 of the Proposed Plan contains all the rules relating to sites that are listed in Appendix 1.	Oppose	Accept in part	See also decision report for Parts 1 and 2. The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.
360-43	4.5.59 - Define impact or clarify.	Support with amendment	Accept	See paragraph 4.13.1
379-38	Review and remove discretionary judgements in 4.5.59 - Need to avoid a discretionary judgement to be made in deciding whether something is not a permitted activity and becomes discretionary.	Oppose	Accept	See paragraph 4.13.1
379-97	Request that the Plan is reviewed and remove discretionary judgements in 4.5.59 - This requires a discretionary judgment to be made and therefore is inappropriate for a permitted activity. This is an error throughout the Plan, to have permitted activity listed or performance standards that include discretionary judgments. The framing of the status of activities is based on misunderstanding the statutory requirements for the Plan and permitted activities. It is also contrary to the "guiding principles" the Council established for the plan. Some permitted activity rules require a judgment to be made to determine whether an activity is permitted. This is incorrect in law and must be addressed.	Oppose	Accept	See paragraph 4.13.1
379-39	Review and remove discretionary judgements in 4.5.61 - Replace the word "may" with not clear and certain enough.	Oppose	Accept	See paragraph 4.13.1
379-98	Amend 4.5.61 - Replace the word "may" - will not be clear and certain enough.	Oppose	Accept	See paragraph 4.13.1
427-138	Requested that Rules 4.5.57 to 4.5.65 be relocated to Part 2. Corresponding rule changes are required to avoid any duplication or inconsistencies. It's understood that the purpose of having	Oppose	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	Part 2 is to establish objectives and policies which apply throughout the district to the national and district matters or strategic importance. Plan should be reformatted so that Part 2 of the Proposed Plan contains all the rules relating to sites that are listed in Appendix 2.			
500-42	Amend 4.5.61 by replacing "impact" with "affect". The term "affect" has more legal standing than "impact".	Support with amendment	Accept	See paragraph 4.13.1
500-149	Amend the text for 4.5.60 with the following: "Restoration or revegetation of geothermal vegetation or significant natural areas, in accordance with the standards in Appendix 9.2.3.1-3 and Protection of geothermal features, in accordance with the standards in Appendix 9.2.3.4. Relocate this text, along with special land features activity descriptions to be in the performance standards and where necessary to the matters over which control is reserved and assessment criteria. Reason: The Appendix 9 requirement regarding how geothermal features should be managed in the same manner as how geothermal vegetation should be managed. This is inappropriate, as the management regimes required are different. It is possible to re-vegetate or enhance geothermal vegetation. It is usually not possible or appropriate to do this with features. The GNA report prepared for RDC identifies suitable techniques for geothermal surface features.	Support with amendment	Accept in part	The Committee decided to amend the rule, but noted that other submissions regarding clarity and consistency are also relevant.. See also decision report for parts 1 and 2 regarding the response to geothermal features across the plan.
	Rule 66 - Add 'Relocation or replacement planting elsewhere on the property is required where'	Support with amendment	Reject	The Committee decided to reject the submission as it would not be practical to implement in the form suggested. Other provisions in the plan provide scope to encourage replacement planting.
423-65 (Lakeside Submitter)	Amend rule 4.5.66 (Buildings, structures and earthworks in esplanade strips) from discretionary to a controlled activity status with accompanying standards and terms controlling reflectivity, and building colour. Exclude minor earthworks and land based parts of lake structures from this rule. Alternatively, amend the rule to a restricted discretionary activity status with discretion restricted to considering	Oppose	Accept in part	The Committee decided to alter the activity status to restricted discretionary and notes that other changes have been made in response to lake structures that are relevant to this

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>the adverse effects of non-compliance with the standards and terms. This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.</p> <p>The requirement for 'structures' within 25m of the lake edge to be a discretionary activity is new and expands the current 25m set-back for 'buildings'. A 25m setback for new buildings (including accessory buildings) is reasonable, but this provision should not apply to jetties and boat ramps.</p> <p>This is a consequential amendment to ensure the district plan takes proper account of the value of lakeside settlements and facilities.</p>			point.
4-24	Amend Rule 4.5.75 to read 'Parking of heavy vehicles on or adjoining a residential site, excluding Emergency Service Facilities'.	Support with amendment	Accept	See paragraph 4.13.1
	FS 593 - 148 Firefighting facilities and operations are very important to the forestry industry.	Support	Accept in part	See above
13-1	Helicopters taking off and landing in areas zoned Residential. Frankly, this should be a prohibited activity. If however, Council believe that there should be provision for helicopters then they should be a non-complying activity provided the application is publicly notified. District Plan indicates the taking off and landing of helicopters in a Residential 1 Zone as non-complying and would require a Resource Consent. It is noted that this is not prohibited and consent may be granted.	Oppose	Reject	See paragraph 4.13.1
41-1	Retain the Non-Complying status for helicopter landing as notified	Support	Accept	See paragraph 4.13.1
218-35	Rule 73 - Add 'Relocation or replacement planting elsewhere on the property is required where...'	Support with amendment	Reject	See paragraph 4.13.1
331-9	Amend rule 75 to read: "Parking of heavy vehicles adjoining a residential site". The word 'vehicles' is currently omitted and the rule prevents the parking of medium size work vehicles and camper vans/bus on a section. See consequential amendments to the definition of 'vehicles'.	Support with amendment	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
447-16	Retain Rule 78 as notified. Cross referencing is considered to be good practice, without unnecessary repetition in the plan.	Support	Accept	See paragraph 4.13.1
463-13	Item 75 needs to be amended with the word 'vehicle' inserted after 'heavy'. This rule is in the operative District Plan yet is never enforced. Should this rule therefore be deleted?	Support with amendment	Accept	See paragraph 4.13.1
504-19	Rule 66 & 77 Include 'Relocation or replacement planting elsewhere on the property is required where...'Indigenous planting to be encouraged therefore where it is removed, it is recommended that it be relocated or replacement planting elsewhere on the property is required.	Support	Reject	See paragraph 4.13.1
4-3	Include a new rule for "Emergency Service Facilities" as a Permitted Activity in Table 4.5.	Support with amendment	Reject	See paragraph 4.13.1
	FS 593 – 127: Firefighting facilities and operations are very important to the forestry industry.	Support	Reject	See above
4-32	Include a new rule for "Realistic Fire Training Buildings' as a Discretionary Activity in Table 4.5.	Support with amendment	Reject	See paragraph 4.13.1
	FS 593 – 153 Firefighting facilities and operations are very important to the forestry industry.	Support	reject	See above
379-96	Amend 4.5 - Provide for recreation and reserves	Support with amendment	Accept	See paragraph 4.13.1
478-2	Provide for the demolition, removal, relocation (onto a site) and re-siting(within a site) of buildings as a permitted activity in all areas and zones, except in relation to any scheduled or identified heritage buildings, or any properly established conservation heritage precinct. Delete any provision in the plan for a performance bond or any restrictive covenants. If the following is included, it would address our concerns: "Permitted activity standards for relocated buildings intended for use as a dwelling into urban areas: 1) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.	Support with amendment	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>2) A building pre-inspection report (see submission for example) shall accompany the application for a building consent for the destination site for any relocated building intended for use as a dwelling. That report is to identify all reinstatement works that are to be completed to the exterior of the building.</p> <p>3) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.</p> <p>4) All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting point 3 above, reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</p> <p>5) The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the 12 month period".</p> <p>If our request is not accepted, we request that the plan provides for the relocation of a building/dwelling as a controlled or restricted discretionary activity, subject to the following criteria on a non-notified, non-service basis:</p> <ul style="list-style-type: none"> i) Proposed landscaping; ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services; iii) the appearance of the building following reinstatement. <p>Make any consequential amendments to give effect to this submission.</p>			
110-2	Amend rule 8 (additional houses) to read: "Additional household units in accordance with the dwelling density of the zone, or in accordance within an Approved Development Plan contained within Appendix 5 - Controlled activity status in all zones".	Support with amendment	Reject	See paragraph 4.13.1
331-7	Amend rule 4.5.7 (Wind turbines) to be permitted for new subdivisions. Support controlled activity status for existing sections. The requirements for wind turbines should be included in the new subdivision consent like power and water, instead of requiring another consent.	Support with amendment	Reject	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
379-95	Review and apply a consistent approach in 4.5.11 & 12 - As the provisions are fairly brief why not re-state here. Especially as the airport noise / transmission corridor / heritage etc. are listed in each zone - or else take those out also.	Support with amendment	Accept in part	See paragraph 4.13.1
288-12	Amend to review 4.5.59 and remove discretionary judgements here and throughout the plan. This is a discretionary activity that has the same failing as for permitted activities. There is a requirement to avoid discretionary judgment to be made in order to determine the status of an activity and in this case whether something is not permitted activity and becomes discretionary.	Support with amendment	Accept	See paragraph 4.13.1
360-44	Temporary buildings and structures does not have a definition. Clarify how long it has to be up before not being considered temporary.	Support with amendment	Accept in part	See paragraph 4.13.1
447-96	That the following clause be added: NON-NOTIFICATION CLAUSE: Where an activity requires resource consent because it is within the Electricity Transmission Corridor or Yard then an application need not be publicly notified and need not be served on any affected party other than Transpower New Zealand Limited. Complete any consequential amendments. The requested amendments will ensure involvement of Transpower in any resource consent application within the corridor.	Support with amendment	Reject	See decision report for submissions across various chapters.
	FS587.10: Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.	Support	Accept	See decision report for submissions across various chapters.
447-97	That that the following two advice notes be added: Advice Note (1): Vegetation to be planted within the transmission corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazard from Trees) Regulations 2003. Advice Note (2): The New Zealand	Support with amendment	Reject	See decision report for submissions across various chapters.

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with this code is mandatory. Complete any consequential amendments.</p> <p>These advice notes will ensure users of the plan are referred to the electricity (Hazards from trees) Regulations 2003 and the NZ electrical code of practice for electrical safe distances.</p>			
	<p>FS587.11: Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept	See decision report for submissions across various chapters.
71-4	Rule 26 to be amended by adding the words 'and existing museums'.	Support with amendment	Accept	See paragraph
392-8	Add the following words to Rule 26 of table 4.5: "the performance standards rules and assessment criteria of the zone", so that the development is not uncontrolled. It is of a concern as Council is the largest stake holder in holiday parks. Apart from Marae no other sector is given such free range.	Support with amendment	Reject	See paragraph
90-1	Change the activity status for rule 45 from restricted discretionary to permitted. Rules 45 requires resource consent before dwellings can be modified or built on sites zoned residential. This is an expense that is unnecessary as the requirements of Appendix 7 can be administered under the building consent process.	Support with amendment	Reject	See paragraph
90-2	Change the activity status for rule 46 from discretionary to permitted. Rule 46 requires resource consent before dwellings can be modified or built on sites zoned residential. This is an expense that is unnecessary as the requirements of Appendix 7 can be administered under the building consent process.	Support with amendment	Reject	See paragraph

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
4-17	Insert the following at the bottom of section 4.6.1: "Note: Emergency Service Facilities are exempt from the above height restrictions". Fire Stations are typically 9m to enable sufficient clearance, whilst a fire hose dry towers need to be constructed to a height of 15m. These heights breach the height limits contained in the performance standards.	Support with amendment	Reject	See paragraph 4.13.1
FS 593-141	Firefighting facilities and operations are very important to the forestry industry.	Support	Reject	See above
331-16	Amend 4.6.1.d by including the size and dimensions for wind turbines stated in 4.7.2. (controlled activity criteria)	Support with amendment	Accept in part	See paragraph 4.13.1
379-100	Include daylight plane in the text of 4.6/1 - The daylight envelope is now defined in Part 17 (Definitions) but this is not apparent from the text. It would be preferable to include the daylight plane itself in the text as it is a control rather than a definition.	Support with amendment	Reject	See paragraph 4.13.1
379-102	Review and amend 4.6.1.g - Is there a provision for freestanding wind turbines and should this be addressed?	Support with amendment	Accept	See paragraph 4.13.1
35-1	The performance standard should be amended as follows to enable maintenance, upgrade and replacement of overhead power lines. '1. Any building or structure shall not exceed 2.5m in height and 10sqm in floor area with the exception of overhead power lines for the distribution of electricity (in accordance with NZECP34:2001 and in consultation with Transpower). 2. Upgrading and replacement of existing buildings and overhead power lines is provided for...'	Support with amendment	Accept in part	See decision report for submissions across various chapters. See 4.13.1
	FS587.85: On the basis of inclusion of the amendments sought in Transpower's original submission, Transpower supports in principle the relief sought by Unison Network Limited on the basis they are not inconsistent with the relief sought by Transpower (see further submission for detail).	Support	Accept in part	See decision report for submissions across various chapters.
447-17	Seek the performance standards in 4.6.12 to be amended as follows: 12. Within Electricity Transmission Corridors (a) any buildings or structures shall not exceed 2.5 metres in height and 10m ² in floor area associated with sensitive	Support with amendment	Accept in part	See decision report for submissions across various chapters.

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	<p>activities. (b) upgrading replacement and alterations of existing buildings subject to the existing footprint and height not being increased. Complete any consequential amendments.</p> <p>It is considered that the term "Activities" should be deleted because the performance standards only relate to buildings and structures, not activities.</p>			
	<p>FS587.2 - Support a standalone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept in part	See decision report for submissions across various chapters.
246-9	<p>Toi Te Ora recommends that residential design guidelines include driveway safety information to improve driveway safety for children.</p>	Support with amendment	Reject	The Plan does not include design guidance, nor is safety advice a matter for the district plan. See paragraph 4.13.1
438-7	<p>Street front of any residential development should be supported with an architectural explanation. Add 'RDC shall be more inclined to favour all new development subdivision or single house that has had a design review done through a Registered Architect. For those who are not able to afford a service of a Registered Architect they will be provided with one from the panel of approved RDC Architects at RDC's cost'.</p>	Support with amendment	Reject	See paragraph 4.13.1
439-7, 440-7	<p>Insert 'RDC shall be more inclined to favour all new development subdivision or single house that has had a design review done through a Registered Architect. For those who are not able to afford a service of a Registered Architect they will be provided with one from the panel of approved RDC Architects at RDC's cost'.</p>	Support with amendment	Reject	See paragraph 4.13.1
5-1	<p>Amend 4.6.2(e) to provide a 7.5 m setback from water bodies. Proposed setback from water bodies is too restrictive, a 7.5m setback would be sufficient.</p>	Oppose	Reject	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
71-5	Add to rule 4.6.2.b (Side and rear yard): "Minimum rear yard for adjoining sites which are to the south east through south to south west to be 5.0 metres". Where the site boundary is running in the east-west direction, buildings that are built only 2.5m away from the boundary, may block the sunlight to buildings in the adjoining site. There needs to be sufficient space between buildings from adjoining sites to provide for a sufficient daylight envelope.	Support with amendment	Reject	See paragraph 4.13.1
331-10	Amend 4.6.2.(a) by reducing the front yards to 4m in the Residential 1 zone when a subdivision has a short cul de sac.	Support with amendment	Reject	See paragraph 4.13.1
331-11	Amend subsection a of 4.6.2 to provide for different front yards along the two street frontages for corner sections. Alternatively, apply a smaller yard standard to the one side of the corner site, unless it adjoins a major collector road. At present both sides of the corner site are subject to a 5m set back.	Support with amendment	Reject	See paragraph 4.13.1
360-33	Performance Standard 4.6.2e - Lots which do not meet the minimum lot size requirements will never be subdivided anyway so requiring the setback of 25m is unnecessary. Setbacks should vary according to its potential to be subdivided.	Support with amendment	Reject	See paragraph 4.13.1
360-45	Correct syntax of 4.6.2d to read: "single storey accessory buildings (e.g. garages, carports and sheds) may be constructed 1m from the side or rear yards subject to complying with the following standards."	Support with amendment	Accept in part	See paragraph 4.13.1
360-46	Correct 4.6.2.d(iv) to read: "No door, window or other opening shall be created in an exterior wall of the building facing the boundary that is within 2.5 metres of the boundary (i.e. at an angle of less than 90 degrees)."	Support with amendment	Accept in part	See paragraph 4.13.1
370-25	4.6 - 2(e) This requirement is supported. Retain	Support	Accept	See paragraph 4.13.1
379-103	Re-think status and controls: delete 4.6.2.d - Rear yards are usually called that - rear boundaries are called that, not rear yard boundaries. Where is the daylight envelope that restricts the height of garages close to the boundary on the north side of a site, such an accessory building could have a significant adverse effect but the adjacent landowner is not	Support with amendment	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
	allowed a say. This rule would allow the eaves to go to within 400mm of the boundary - very close for maintenance and quite intrusive.			
379-104	Delete 4.6.2.g - g. is not required as it is a statutory requirement of section of the RMA.	Oppose	Accept	See paragraph 4.13.1
4-21	Insert the following at the end of section 4.6.3.a: "Note: Emergency Service Facilities are exempt from the site coverage provisions for the Residential 4 and 5 zone". Fire stations require a minimum of 35% site coverage.	Support with amendment	Reject	See paragraph 4.13.1
FS 593 - 145	Firefighting facilities and operations are very important to the forestry industry.	Support	Reject	See above
360-47	Clarify if Rule 4.6.3.a-c mean that 100% of the site can be impermeable surfaces.	Support with amendment	Reject	See paragraph 4.13.1
379-105	Review and amend 4.6.3.c (and 9.6/3c) - No requirement for location, orientation, privacy, or shape factor - "usable" is not sufficiently precise for a permitted activity, especially as it excludes yards. With appropriate shape control, yards could reasonably be included.	Oppose	Accept in part	See paragraph 4.13.1
84-4	Kiwi rail is concerned with safety , including sight lines at level crossings. Proposes new performance standards relating to new vehicle accesses and future level crossing safety. Proposed Performance Standard 4.6.5(e) - any new vehicle crossing shall not be within 30m of a future railway level crossing.	Support with amendment	Reject	See paragraph 4.13.1
379-107	Delete 4.6.5.c - If the vehicle is parked clear of the road the reference to vehicles and pedestrian traffic is superfluous.	Support with amendment	Accept	See paragraph 4.13.1
4-13	Amend section 4.6.6.a to read: "Note: Construction noise and 'Emergency Services Facility noise is exempt from these restrictions". Occasionally noise generated from emergency services sirens may not be within the limits in the Plan.	Support with amendment	Accept	See paragraph 4.13.1
	FS 593 – 137: Firefighting facilities and operations are very important to the forestry industry.	Support	Accept	

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
246-12	That Council amend the residential zone noise exposure limits to: 0700 to 2200 hours 50dBA Leq (15min), 2200 to 0700 hours 40dBA Leq(15 min) and 70dBA Lmax. The choice of Leq as a measure of the impact of noise on a community is questioned by Toi Te Ora. This is because an average noise level measured over a 24 hour period may not be sufficiently sensitive to the effect of noisy events of short duration or infrequent occurrence.	Support with amendment	Reject	See paragraph 4.13.1
379-108	Change 4.6.6c & d to correct numbering - These presumably follow on from b but are numbered to apply to all activities.	Support with amendment	Accept	See paragraph 4.13.1
379-109	Delete 4.6.9.b - For a permitted activity clarify how a TMP is deemed to be required and how it will be required? Isn't this a matter for the road controlling authority and the LGA? It is not an RMA matter nor a matter for the plan.	Oppose	Accept	See paragraph 4.13.1
360-39	Need more specific controls for infill housing to achieve objective 4.4.6. E.g. minimum distance between houses. Separation of houses by fencing etc.	Support with amendment	Reject	See paragraph 4.13.1
360-32	4.8.1 - There are no general restricted discretionary assessment criteria.	Support with amendment	Accept in part	See paragraph 4.13.1
370-26	These criteria are supported as consistent with policies in Part 2 of the Plan.	Support	Accept in part	See paragraph 4.13.1
500-40	Amend section 4.8.2.1f to provide adequate reference to Significant Geothermal Surface Features as defined using method 22B of Regional Policy Statement. Reason: Trigger is only for outstanding natural features and landscapes, not significant geothermal features.	Support with amendment	Reject	See decision report for submissions across various chapters. The structure and form of the controlled activity assessment criteria has been changed across the plan. See paragraph 4.13.1
500-41	Retain additional assessment criteria 4.8.2.1g.	Support	Reject	See decision report for submissions across various chapters. The structure and form of the controlled activity assessment criteria has been changed across the plan. See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
11-2	Seek to include an additional General Assessment Criterion under Part 4 to 10 and 13 to read: "Potential for the activity to adversely effect on the safe and efficient operation of regionally significant infrastructure. Technical advice on the impact of regionally significant infrastructure should be sought from infrastructure managers." A criterion should be added to assess the effects on regionally significant infrastructure under all zones.	Oppose	Accept in part	See paragraph 4.13.1
35-6	The wording in respect of the "Electricity Transmission Corridor" varies across the different zones. Recommended to be consistent by including the following - "Buildings, Structures and Earthworks within the Inner Electricity Transmission Corridor: 1. Buildings, structures and earthworks not related to the electricity transmission line that are located within the existing inner electricity transmission corridor shall be assessed in terms of the following: a. Practical access to the transmission line and any supported structure; b. The risk to the structural integrity of the transmission electric line; c. The risk of activities causing electrical faults resulting in disruption to electricity supply; d. The risk of electrical hazards affecting public safety and risk of property damage; e. The nature and location of any proposed earthworks; f. The identification of building platforms".	Support with amendment	Accept in part	See paragraph 4.13.1
500-67	Support. Retain assessment criteria 4.9.1.17.	Support	Accept in part	See paragraph
500-69	Amend 4.9.1.10 to read "The level of risk associated with natural hazards does not exceed acceptable levels."	Support with amendment	Accept	See paragraph
298-28	Amend section 4.9.2.3 to include assessment criteria relating to archaeological sites. It currently only refers to built heritage.	Support with amendment	Accept in part	See paragraph
500-70	Amend the text to read: "4.9.2.4.a.ii the extent of adverse impacts on any geothermal vegetation viability and its ecosystem present on site. 4.9.2.4.a.iii the extent of adverse impacts on any significant geothermal feature/s." Reason: Support with amendments to make clear the distinction between geothermal vegetation/habitat, and geothermal surface features.	Support with amendment	Accept in part	See paragraph 4.13.1

Submitter number-Point	Summary of Submission	Submitter position	Decision	Committee's Reason
447-18	<p>Amend Section 4.9.2.7 as follows: "Activities & structures located within the Electricity Transmission Yard or Corridor. The following assessment criteria shall be considered in the assessment of Activities located within the Electricity Transmission Yard or Corridor that are assessed as Discretionary or Non-Complying Activities. Activities, buildings and structures not related to the electricity transmission line (or other utility infrastructure) that are located within the electricity transmission yard or corridor, and do not comply with the permitted activity or restricted discretionary provisions shall be assessed in terms of the following: (a) The extent to which the activity affects the safe and efficient operation, maintenance or upgrading of the electricity transmission network, including: (i) Practical access and maintenance to the transmission line and any support structure". (ii) The risk to the structural integrity of the transmission electric line. (iii)The risk of activities causing electrical faults resulting in disruption to electricity supply. (iv) The risk of electrical hazards affecting public safety and risk of property damage. (v) The nature and location of any proposed earthworks. (vi) The identification of building platforms". Complete any consequential amendments. Transpower seeks that 4.9.2.7 be amended to sufficiently cover the full range of issues it is considered decision makers should assess in the determination of discretionary or non-complying activities.</p>	Support with amendment	Accept in part	<p>See decision report for submissions across various chapters. The structure and form of the controlled activity assessment criteria has been changed across the plan.</p> <p>See paragraph 4.13.1</p>
	<p>FS587.3: Support a stand-alone section of provisions within Chapter 15 relating to the National Grid. Consequential relief would be the removal of the Residential Zone Rules 47-51, Performance Standards 4.6.12 and Discretionary Activities: Methods of Assessment 4.9.2.7. Should Council not support such an approach, than Transpower seeks the inclusion of the example provisions attached to this submission as Appendix A.</p>	Support	Accept	<p>See decision report for submissions across various chapters.</p>

Committee Reasons

- 4.13.0 The Committee considered the submissions, the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes recommended in the Section 42A report to have adequately responded

to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.

- 4.13.1 The Committee considered the submissions in table above which have not resulted in a change of policy direction or where minor changes are requested. The Committee has also considered the Section 42A report recommendations and reasons and the evidence presented at the hearing by submitters. The Committee considered the proposed changes made in the Section 42A report to have adequately responded to and resolved the above submission points. The reasons provided in the Section 42A report are accepted and adopted as the Committee's reasons.

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