



# HCC submission

## Waikato District Proposed Plan - Hearing 18 Rural Zone

29 September 2020

# Submission Topics

- Rural Objectives and Policies
- Commercial and Industrial Activities
- General Subdivision
  
- Non-Rural Activities
- UEA - Activity Status
- UEA - Discretionary Activities
- Retirement Villages in the Rural Zone

## Rural Objectives and Policies

| Sub    | HCC submission   | S42A Response   | HCC Response  |
|--------|--|---|---|
| 535.29 | Retain Objective 5.2.1 Rural resources.  | Amend the Objective to include the word accessibility and delete clauses (iii) and (iv).                            | Support the amendment of the Objective for the reasons provided by the s42A author.   |
| 535.30 | Retain Policy 5.2.2 High class soils.  | Retain as notified, noting that the policy maybe subject future plan change in relation to NPS on productive soils. | Support the s42A recommendation.  |
| 535.31 | Retain Policy 5.2.3 Effects of subdivision and development on soils as notified.   | Amend policy by deleting clause (b) as a new policy 5.3.8 is proposed to address clause (b).                        | Support the s42A recommendation.  |
| 535.51 | Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision. | Delete the notified policy 5.3.8 and replace with a new policy 5.3.9 Rural Subdivision.                             | Support the new policy which has been rewritten to clarify the policy and provide a clear direction for the subsequent subdivision rules. |

# Key points

## Rural Objectives and Policies

- HCC sought the retention of Objective 5.2.1 and Policies 5.2.2, 5.2.3 and 5.2.8 as notified.
- HCC supports the rewording and re-formatting recommended by the s42A author for the above Objective and Policies.
- The Objective and Policies now provide a clearer picture of what the rural zone is comprised of, and what activities and subdivision are anticipated in the zone.

## Submission points:

- Retain Objective 5.2.1 Rural resources.
- Retain Policy 5.2.2 High class soils.
- Retain Policy 5.2.3 Effects of subdivision and development on soils as notified.
- Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision.

## Commercial and Industrial Activities

| Sub    | HCC submission  | S42A Response   | HCC Response  |
|--------|---|---|---|
| 535.50 | Retain Policy 5.3.3 Industrial and commercial activities. | Amend policy to relate specifically to rural industry and rural commercial and amending the industrial and commercial activity status to non-complying. | Support the amendment to differentiate between rural industry/commercial and industrial/commercial activities.<br>The amended policy clearly articulates that the rural industry and rural commercial are activities that support rural activities and are expected in the rural zone but still need to be managed. Furthermore, the policy clearly states that pure industrial and commercial activities are to be avoided in the rural zone and supported by new non-complying activity status. |

| Further Sub                | HCC further submission   | S42A Response  | HCC Response                                 |
|----------------------------|--|--|--|
| 302.44 Enviro Waste NZ Ltd | Oppose the submission to allow commercial and industrial activities in the Rural Zone. | Reject the submission and make commercial and industrial activities in the Rural Zone non-complying as they have no functional need to establish in the Rural Zone | Support the s42A recommendation and reasons. |

# Key points

## Commercial and Industrial Activities

- HCC supports the s42A recommendation to amend Policy 5.3.3 to relate to specifically to Rural Industrial and Rural Commercial.
- HCC supports the amendment to make pure Commercial and Industrial activities in the Rural Zone Non-complying.

## Submission point:

- Retain Policy 5.3.3 Industrial and commercial activities.

## Further Submission points:

- Oppose submission by Enviro Waste NZ Ltd (302.44) to allow commercial and industrial activities in the Rural Zone.

## General Subdivision

| Sub    | HCC submission   | S42A Response   | HCC Response   |
|--------|--|-----------------|--|
| 535.73 | Amend Rule 22.4.1.2 RD1 (a) (ii) General subdivision, as follows: (a)(ii) The Record of Title to be subdivided must be at least 40 hectares in area; AND Any consequential amendments and/or additional relief required to address the matters raised in the submission. | Amended to 40ha | Support the s42A recommendation to amend the parent lot to a 40ha minimum. |

| Further Sub  | HCC further submission   | S42A Response   | HCC Response                     |
|--|--|---|----------------------------------|
| Rule 22.4.1.2 RD1 (multiple)   | Oppose the amendments to the General Subdivision that would result in more subdivision in the Rural Zone.                  | Accept and retain lot sizes and Record of Title date as notified.                         | Support the s42A recommendation. |
| 922.1 J Rowe,<br>746.65 The Surveying Company,<br>695.162 Sharp Planning Solutions,<br>794.27 Middlemiss Farm Holdings Limited | Oppose Transferable Lot Subdivisions as it would result in more unplanned growth and land fragmentation in the Rural Zone. | Reject the submissions and do not provide for Transferable Lot Subdivisions in the WDPDP. | Support the s42A recommendation. |

# Key points

## General Subdivision

- Support the s42A recommendation to increase the Record of Title to 40ha.
- Support the retention of subdivision minimum lot size and record of title date as notified.
- Support the s42A recommendation to not include Transferable Lot Subdivision provisions.

## Submission point:

- Amend Rule 22.4.1.2 RD1 (a) (ii) General subdivision by increasing The Record of Title to 40ha from 20ha.

## Further Submission points:

- Oppose the amendments to the General Subdivision that would result in more subdivision in the Rural Zone.
- Oppose Transferable Lot Subdivisions as it would result in more unplanned growth and land fragmentation in the Rural Zone.



## Non-Rural Activities

| Sub    | HCC submission  | S42A Response   | HCC Response  |
|--------|---|---|---|
| 535.28 | Sought retention of Objective 5.1.1 and supports the intent of the objective to protect rural land. | Amended policy for clarity and inserted other activities that are supported in the Rural Zone | Support the amendment of the policy for clarity. Oppose the inclusion of 'community activities' in the amended objective. |
| 535.52 | Retain Policy 5.3.9 Non-rural activities.   | Delete notified policy 5.3.9 and replace it with new policy 5.3.4                             | Support the reordering and the intent of the new policy however question the list of activities in (b) (i).               |

# Key points

## Non-Rural Activities

- Generally support the amendments to the rural zone which identify that the rural environment does include activities other than farming.
- Oppose the amendments to Objective 5.1.1
- Seek the amendment of 5.3.4 (b) (i)

## Submission point:

- Retain Objective 5.1.1 and supports the intent of the objective to protect rural land.
- Retain Policy 5.3.9 Non-rural activities.

## UEA - Activity Status

| Sub    | HCC submission   | S42A Response   | HCC Response  |
|--------|--|---|---|
| 535.70 | Delete the non-rural activities from Rule 22.1.5 NC4 - UEA and add to Rule 22.1.1 Prohibited Activities.   | Retain non-rural activities as non-complying and community activities, schools and childcare DA in the UEA. | Oppose and seek all non-rural activities be made prohibited in the UEA.                                 |
| 535.72 | Retain the prohibited activity status for Rule 22.4.1.1 PR1 Prohibited Subdivision.<br><br>AND Add a clause to Rule 22.4.1.1 P1 Prohibited subdivision as follows: Any boundary relocation or rural hamlet subdivision.<br>AND Any consequential amendments and/or additional relief required to address the matters raised in the submission. | Amend subdivision to non-complying in the UEA.  | Oppose and seek the retention of the prohibited activity status for subdivision in the UEA as notified. |

# Key points

## UEA - Activity Status

- Non-rural activities and subdivision need be prohibited in the Rural Zone within the UEA.
- Prohibited activity status is a critical statutory means for achieving the outcome of the Strategic Agreement.
- Prohibited activity status gives HCC the best chance to provide future urbanisation in an effective and efficient manner after it is transferred to Hamilton.
- Further fragmentation of land will degrade the land resource and HCC's ability to retrofit for urban purposes and impact on the provision of strategic infrastructure.

## Submission points:

- Delete the non-rural activities from Rule 22.1.5 NC4 - UEA and add to Rule 22.1.1 Prohibited Activities.
- Retain the prohibited activity status for Rule 22.4.1.1 PR1 Prohibited Subdivision in the UEA, and add boundary relocation or rural hamlet subdivision as prohibited activities.

## UEA - Discretionary Activities

| Further Sub  | HCC further submission  | S42A Response  | HCC Response   |
|--|---|--|--|
| 596.2 Pokeno Playcentre,<br>607.2 S Hooper, 617.2 N<br>Falkner | Oppose the amendment of childcare from discretionary to a permitted activity in the Rural Zone. | Introduce a 2-tier activity status. PA for childcares with less than 4 non-resident children and RDA for 5 or more children. | Support the amendment for childcare in the rural zone as small in-home care does not affect the rural environment and the RDA provides assessment of effects for larger child cares. |
| 781.27<br>Ministry of Education                                | Oppose the reduction of the activity status for education.                                      | Support the reduced activity status for education.   | Oppose the s42A recommendation to the change in activity status in the UEA.  |

# Key points

## UEA - Discretionary Activities

- Non-rural activities, including education, child care and community facilities need be made prohibited in the Rural Zone within the UEA.
- The effect of Rule 22.3.6 providing for building coverage of 5000m<sup>2</sup> on sites over 10ha.
- Locating future infrastructure around piecemeal development compromises well planned and integrated future urban development.

## Further Submission points:

- Oppose the amendment of childcare from discretionary to a permitted activity in the Rural Zone (596.2 Pokeno Playcentre, 607.2 S Hooper, 617.2 N Falkner)
- Oppose the reduction of the activity status for education (781.27 Ministry of Education)

## Retirement Villages in the Rural Zone

| Further Sub   | HCC further submission   | S42A Response  | HCC Response   |
|---|--|--|--|
| 697.456, 697.559<br>Waikato District Council  | Oppose retirement villages in the Rural Zone.  | The Rural Zone is not an appropriate location for new retirement villages  | Support the s42A recommendation to retain the non-complying activity status in the Rural Zone.   |
| Lyndendale Farms Ltd  | Oppose the establishment of retirement village at 180 Horsham Downs Road.  | The Rural Zone is not an appropriate location for new retirement villages  | Support the s42A recommendation to retain the non-complying activity status in the Rural Zone.   |
| 765.3, .4, .5, .13, .19<br>Tamahere Eventide Trust<br>(Atawhai Assisi Retirement Village)<br><br>769.4, .5 & .6 Tamahere<br>Eventide Trust (Tamahere<br>Retirement Village) | Oppose any relief changing activity status of retirement villages and changes to provisions which would allow incremental expansion in the CLZ | Introduced a two-tier activity status for existing retirement villages (linked to legal description).<br><br>Permitted (P19) - where it does not increase the net floor area.<br>Restricted Discretionary (RD8) - where it increases the net floor area provided it meets conditions of specific Land Use Effects and Buildings Rules. | Support the amendment to allow for existing retirement villages in the Rural and CLZ zones subject to appropriate matters of discretion. |

# Key points

## Retirement Villages in the Rural Zone

- HCC opposed allowing retirement villages in the Rural Zone.
- HCC is supportive of the managed approach to specific retirement villages in the Rural and Country Living Zones, but seeks several amendments.

## Further submission points:

- HCC Opposed submissions by Waikato District Council to allow for retirement villages in the Rural Zone.
- HCC Opposed the submission by Lyndendale Farms Ltd to allow for the establishment of retirement village at 180 Horsham Downs Road.
- HCC Opposed any relief changing activity status of retirement villages and changes to provisions which would allow incremental expansion in the Rural and Country Living zones (Tamahere Eventide Trust (Atawhai Assisi Retirement Village) and Tamahere Eventide Trust (Tamahere Retirement Village)).




## FURTHER INFORMATION

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