



Submission on the Waitomo Proposed District Plan

To: Waitomo District Council

Name of submitter: **Ministry of Education** Te Tāhuhu o Te Mātauranga ('the Ministry')

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This is a submission from the Ministry of Education on the Waitomo Proposed District Plan (the Plan).

Background

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility not only for all State schools owned by the Crown, but also those State schools that are not owned by the Crown, such as designated character schools and State integrated schools. For the Crown owned State schools this involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Waitomo District.

The specific parts of the Plan that the Ministry's submission relates to are the proposed definitions and provisions that either directly or indirectly have the potential to impact on the Ministry's interests and ability to achieve its purpose within the Waitomo District.

The Ministry's submission is:



The Ministry has a particular interest in the parts of the Plan that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing educational facilities or the establishment of new educational facilities.

The provisions that most directly impact on the Ministry are the proposed definitions and the provisions regarding: strategic directions, urban growth, transport, natural hazards, noise, and the activity status of educational facilities throughout the various zones.

The specific amendments, additions or retentions to the Plan sought by the Ministry are listed in Appendix 1 to this submission. In addition to the details in Appendix 1, the following general comments have been made on zoning changes, and designations. The Ministry advises that this letter forms part of its submission.

1. Zoning Changes and Urban Growth

The Ministry notes that various changes are proposed to the zoning of land throughout the district. Changes in zoning have the potential to result in changes in development and in the population size and demographic of residents throughout the district, which may require growth of existing educational facilities or new educational facilities to cater for an increase in school age children. The Ministry acknowledges the changing nature of zoning and development within a district as part of the District Plan process, however, requests that educational facilities are enabled as part of urban growth and development and are considered in any zoning changes made.

Council has an obligation under the National Policy Statement for Urban Development 2020 (NPS-UD) to ensure sufficient additional infrastructure (which includes educational facilities) is provided in urban growth and development areas (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular). The Ministry considers that enabling provisions for educational facilities in the relevant zones and relevant policy framework assists in achieving this outcome.

2. Designations

The Minister is a requiring authority as defined in Section 166 of the Resource Management Act 1991. The Minister designates existing and proposed state school sites as this planning mechanism is an effective way of providing for the required flexibility for the Government's network of schools.

Throughout the Waitomo District there are currently 17 sites designated by the Minister of Education for Education Purposes. The Ministry has cross-checked the Schedule of Designations and designation details within our confirmation of designations (dated 13 January 2020) and notes that the designation boundaries and details have generally been adopted into the Plan. The Ministry also support the proposed removal of Mapiu Primary School, Mahoenui Primary School and House, and Awakino Primary School from the Minister's designations.

The Plan includes an explanatory note of 'Education Purposes' in the Designations chapter, which the Ministry requests is updated to the most recent version that has been used in more recent Designations across the country and better reflects the Ministry's requirements. The proposed changes to the current



note are outlined below. The relief sought is shown in red underscore for additions and ~~red strikethrough~~ for deletions.

Education Purposes means for the purpose of these designations shall, in the absence of specific conditions to the contrary:

- i. Enable the use of the facilities on the ~~designated~~ site by and for the educational benefit of any school age students (i.e., years 0 to 13) and early childhood children, regardless of whether they are enrolled at the institution located on that designated site.*
- ii. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities.*
- iii. Enable the provision of community education (e.g., night classes for adults) outside school hours in school facilities and which will not be restricted to the primary syllabus taught to school age children during school hours.*
- iv. Include but not be limited to the provision of academic, sporting, social and cultural education including through:*
 - Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;*
 - Formal and informal cultural activities and competitions whether carried out during or outside school hours;*
 - The provision of specialist hubs and units (including language immersion units and teen parent units) for children with particular educational requirements or special needs.*
- v. Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.*
- vi. Enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social services and medical services (including dental clinics and sick bays).*
- vii. Enable housing on site for staff members whose responsibilities require them to live on site (e.g. school caretaker) and their families.*

The designation purpose of “Education Purposes” and its amended explanation is consistent with the approach the Minister is taking for education-related activities designated in District Plans in New Zealand. The standardised explanation will assist with ensuring that all education-related activities within the education sector are appropriately provided for within district and other plans and will result in greater consistency on how education-related activities are managed across New Zealand.

The Ministry seeks the following from Waitomo District Council:



That the requested amendments, additions, or retentions to the Plan, as set out in Appendix 1, be considered to be included in the Plan and any consequential amendments required to give effect to the matters raised in this submission. The relief sought is shown in red underscore for additions and red ~~striketrough~~ for deletions.

The Ministry wishes to be heard in support of this submission.



Sophie Andrews

(Signature of person authorised to sign on behalf of the Ministry of Education)

Date: 21 December 2022

Appendix 1: The Ministry of Education’s Submission on the Waitomo Proposed District Plan

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
Part 1: Interpretations					
1.	Additional infrastructure	N/A	New Provision	<p>The Ministry requests the inclusion of a new definition: ‘additional infrastructure’ to the Plan.</p> <p>The definition is from the National Policy Statement on Urban Development 2020 (NPS-UD).</p> <p>Educational facilities are included within the definition of ‘additional infrastructure’ as social infrastructure.</p> <p>The use of the broad definition of ‘additional infrastructure’ rather than a lower tier definition of educational facilities will enable a wider category of infrastructure to be captured by the Plan.</p> <p>It will allow for activities that provide broadly for communities’ social, economic, and cultural well-being and for their health and safety, to be captured within specific policies and objectives and will be consistent with the NPS-UD wording.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p><u>Additional infrastructure means:</u></p> <ul style="list-style-type: none"> • <u>Public open space.</u> • <u>Community infrastructure as defined in section 197 of the Local Government Act 2002.</u> • <u>Land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities.</u> • <u>Social infrastructure, such as schools and healthcare facilities.</u> • <u>A network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001).</u> • <u>A network operated for the purpose of transmitting or distributing electricity or gas.</u>
2.	Educational facility	<i>means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities.</i>	Support	The Ministry supports the definition for educational facility as it is consistent with the National Planning Standards.	Retain as proposed.
3.	Noise sensitive activity	<p><i>means residential units and minor residential units, boarding houses, co-housing developments, compact housing developments, retirement villages, visitor accommodation, papakāinga units and papakāinga housing developments, residential based visitor accommodation, managed care facilities and other buildings used for residential activities but excludes:</i></p> <p>a) <i>Camping grounds.</i></p> <p>b) <i>Tiny houses and tiny house developments.</i></p> <p>c) <i>Marae complex.</i></p> <p>d) <i>Community facilities.</i></p> <p>e) <i>Educational facilities.</i></p> <p>f) <i>Hospitals.</i></p>	Oppose	<p>The Ministry opposes the exclusion of ‘Educational facilities’ from the definition of a “noise sensitive activity”.</p> <p>Many of the activities that take place within an educational facility are sensitive to noise. This includes classroom indoor environments and outdoor areas where education activities occur.</p> <p>The Ministry requests an amendment to the definition of noise-sensitive activity, to ensure that schools are considered when assessing the effects of activities that generate high levels of noise.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Noise sensitive activity means residential units and minor residential units, boarding houses, co-housing developments, compact housing developments, retirement villages, visitor accommodation, <u>educational facilities</u>, papakāinga units and papakāinga housing developments, residential based visitor accommodation, managed care facilities and other buildings used for residential activities but excludes:</p> <p>a) Camping grounds.</p> <p>b) Tiny houses and tiny house developments.</p> <p>c) Marae complex.</p> <p>d) Community facilities.</p> <p>e) <u>Educational facilities</u></p> <p>f) Hospitals.</p>

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4.	Operational need	<i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</i>	Support	At times, the Ministry and other education providers have an operational need to maintain, expand or establish educational facilities in areas prone to natural hazards to provide social infrastructure (as provided for in the new definition of additional infrastructure), for existing communities in areas susceptible to natural hazards. There are proposed provisions which relate to buildings and infrastructure which have an operational need to be established in natural hazard areas. The Ministry supports the inclusion of this definition as it is consistent with the definitions in the National Planning Standards.	Retain as proposed
5.	Sensitive activity	<i>has the same meaning as a noise sensitive activity</i>	Support	The Ministry supports the definition of "Sensitive Activity" subject to the inclusion of educational facilities in the definition of noise sensitive activity.	Retain as proposed
6.	Outdoor education activities	<i>means education in the outdoors using the natural environment and direct experiences as part of a curriculum based learning programme.</i>	Support	The Ministry supports the definition for "outdoor education activities" and notes Council's intention for outdoor education activities does not include buildings and other development. It is therefore appropriate that this definition is separate to the definition for 'educational facilities'.	Retain as proposed
Part 2 - District Wide Matters					
STRATEGIC DIRECTION					
Strategic direction, urban form and development					
7.	SD-O5.	<i>Compatible activities with similar effects and functions are located together and new development is directed towards the appropriate zones to ensure that land use and subdivision: Are consistent with the anticipated character and amenity values of the areas where they are located; and Efficiently use natural and physical resources in order to meet the community's and the environment's needs both now and in the future; and Recognise existing lawful activities and protect their ongoing operation from incompatible activities.</i>	Support in part	The Ministry often establishes educational facilities in residential areas to meet the demand of that residential catchment. However, educational facilities are often not consistent with the anticipated character and nature of residential activities despite being an essential part of the social fabric of a community. Therefore, the Ministry recommends the addition of a provision to recognise that educational facilities are needed to support residential catchments. The Ministry recommends the inclusion of a provision to provide for 'additional infrastructure' as defined under the NPS-UD. Educational facilities are included in the definition of 'additional infrastructure' as social infrastructure.	Compatible activities with similar effects and functions are located together and new development is directed towards the appropriate zones to ensure that land use and subdivision: <ul style="list-style-type: none"> • Are consistent with the anticipated character and amenity values of the areas where they are located; and • Efficiently use natural and physical resources in order to meet the community's and the environment's needs both now and in the future; and • Recognise existing lawful activities and protect their ongoing operation from incompatible activities. • Includes additional infrastructure to support residential communities

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				This feedback has not been adopted from the Draft Waitomo District Plan review.	
8.	SD-O13.	<i>The district's communities have access to a diverse and connected network of open spaces which offer a range of recreational experiences while protecting the values of scheduled sites, features and overlays.</i>	Support	The Ministry recognise the importance of providing open space for communities to use to improve community wellbeing.	Retain as proposed.
9.	SD-O20.	<i>Urban Form and Development Support and sustain the vitality and viability of Te Kūiti, as the primary commercial centre for the district, to provide a range of business, retail and entertainment activities, community facilities, educational facilities and visitor accommodation.</i>	Support	The Ministry requests that explicit provision is given to educational facilities throughout the urban environment to enable the Ministry to manage the impacts of growth and development on educational facilities, in particular impacts on school capacity. Providing for educational facilities in Te Kūiti through the strategic policy framework will support the provision of new and expansion of existing educational facilities in the Waitomo District. Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes educational facilities) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular). The Ministry would also request consequent consideration of provisions for educational facilities in urban development provisions generally.	Retain as proposed.
10.	SD-O21.	<i>Require subdivision and development within townships and within the future urban zone to occur in a planned, integrated and co-ordinated manner which ensures that infrastructure has sufficient capacity to accommodate the form and type of development anticipated.</i>	Support in part	The Plan does not clarify what 'infrastructure' means in the definitions chapter. The definition would therefore default back to the RMA definition which does not include education facilities. Under the NPS-UD, educational facilities are included in the definition of 'additional infrastructure', and therefore the Ministry recommends the inclusion of 'additional infrastructure' in SD-O21 and in the definitions chapter to provide for educational facilities. This will ensure that subdivision and development include provision for the expansion of existing or new educational facilities to accommodate the demand of the development. This feedback has not been adopted from the Draft Waitomo District Plan review.	Require subdivision and development within townships and within the future urban zone to occur in a planned, integrated and co-ordinated manner which ensures that infrastructure and additional infrastructure has sufficient capacity to accommodate the form and type of development anticipated.

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Infrastructure					
11.	NU-R9	<p><i>New public walkways and cycleways</i></p> <p>PER activities must:</p> <ol style="list-style-type: none"> 1. <i>Comply with all of the provisions in NU - Table 2; and</i> 2. <i>Have a minimum width of 1.5 m and a maximum width of 3.5 m.</i> <p>PER activities that do not comply are RDIS activities</p> <p>Where an activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> a) <i>The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</i> b) <i>The design, location, construction and materials used; and</i> c) <i>Effects on the values of any overlay, scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and</i> d) <i>The extent and effect of non-compliance on the streetscape, pedestrian and cyclist safety and the amenity of the area; and</i> e) <i>Connectivity with other off-road pedestrian and cycle facilities and the road network; and</i> f) <i>The extent to which the key moves in the relevant Town Concept Plan have been considered and provided for; and</i> g) <i>For any heritage buildings and structures, outcomes from consultation with Heritage New Zealand Pouhere Taonga; and</i> h) <i>For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values; and</i> i) <i>The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</i> j) <i>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</i> <p><i>The potential to contribute to cumulative effects on amenity values.</i></p>	Support	<p>The Ministry supports the provision of new walkways and cycleways being provided for as a permitted activity to establish infrastructure that enables active modes.</p> <p>The Ministry also supports the matters of discretion to consider safe walking and cycling infrastructure, how it connects to other off-road pedestrian and cycle facilities and the road networks that students may use. This will provide for safer roads and pathways for students to travel to school via active modes.</p>	Retain as proposed.
Transport					
12.	TRAN-O1	<p><i>The transport system is a well-connected, integrated and accessible system that:</i></p> <ol style="list-style-type: none"> a. <i>Meets and is responsive to current and future needs, and</i> b. <i>Maximises opportunities to link with land use and development; and</i> c. <i>Promotes the use of walking and cycling and reduces the dependency on private motor vehicles.</i> 	Support	The Ministry supports this objective as it promotes an efficient and integrated transport network for the district with a focus on encouraging active modes.	Retain as proposed.
13.	TRAN-O2.	<i>The transport system is safe, efficient and effective in moving people and goods within and beyond the district.</i>	Support	The Ministry supports this objective as it promotes a safe, efficient and effective transport network for the district	Retain as proposed.
14.	TRAN-P1.	<p><i>Ensure that the operation of a safe, efficient, effective, integrated, resilient and sustainable transport system is achieved through:</i></p> <ol style="list-style-type: none"> a. <i>Development, construction and maintenance of the transport system is consistent with the transport corridor function and hierarchy; and</i> b. <i>The appropriate design, number, location and formation of vehicle access points; and</i> 	Support	The Ministry supports this Policy as it promotes an efficient and integrated transport network for the district with a focus on encouraging safe walking and cycling facilities.	Retain as proposed.

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		<ul style="list-style-type: none"> c. Design, upgrades and maintenance that seek to reduce deaths and serious injuries; and d. Seeking improvements to pedestrian and cyclist safety including safe, appropriately designed pedestrian access ways, walkways and cycleways suitable for all users, including those with restricted mobility; and e. Minimising conflict within the transport system by ensuring sight and separation distance requirements are adhered to; and f. Accommodating and encouraging alternative modes of transport; and g. Facilitating opportunities to enhance character and amenity; and h. Promoting the achievement of outcomes specified in the key moves of the Town Concept Plans; and i. Including where possible, the use of low impact stormwater design; and j. Minimising energy consumption, environmental effects and whole of life costs in construction, maintenance and operation. 			
15.	TRAN-P4.	<p>Ensure that high trip generating activities are evaluated through an Integrated Transport Assessment (ITA) that demonstrates how adverse effects on the transport system will be avoided, remedied or mitigated, and:</p> <ul style="list-style-type: none"> a. Ensures that the capacity and the likely effect of the proposed use on the transport system, its users and their safety is maintained or enhanced; and b. Manages the effects on the amenity values and character of the transport system; and c. Provides for inclusive access, transport choice and integration of different modes; and d. Fully considers whether opportunities for alternative access and/or routes exist; and e. Provides appropriate traffic management and travel planning mechanisms; and f. Provides for circumstances where it is appropriate to stage the activity and/or undertake improvements to the transport system; and g. Factors in the ongoing maintenance requirements of the transport system and the need for maintenance agreements; and h. Integrates development with funded improvements to the network and ensures that timing aligns with capacity; and i. Considers and manages cumulative effects; and j. Takes into account any positive transport effects; and k. Accounts for any changes over the relevant assessment period to the predicted level of personal risk to individuals (safety) using the network and levels of service (efficiency) of the network 	Support	The Ministry supports this policy as it promotes the safe and efficient operation of the transport system.	Retain as proposed.
16.	TRAN-P5.	<p>In limited circumstances or where an Integrated Transport Assessment (ITA) demonstrates that it is appropriate, Waitomo District Council may:</p> <ul style="list-style-type: none"> a. Reduce the on-site car parking requirement where an activity can demonstrate through the provision of a travel plan, that staff or occupants of the activity can access the activity through alternative means of travel; and 	Support	The Ministry supports the policy that allows car parking requirements to be reduced at times.	Retain as proposed.

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		<p>b. Reduce the on-site car parking requirement where activities that operate at different times and/or have adjoining sites may be able to share the use of the same parking spaces; and</p> <p>c. Dispense with the requirement for an on-site manoeuvring, loading or queuing spaces where any adverse effects on safety can be avoided, remedied or mitigated.</p>																											
17.	TRAN-P6.	<p>Ensure activities that generate vehicle trips associated with construction minimise any adverse effects having regard to:</p> <p>a. The types of vehicles serving the site, their frequency, the time of vehicle movement and anticipated traffic generation; and</p> <p>b. The duration of the traffic generation and the extent to which it creates adverse amenity effects and/or sleep disturbance for surrounding sensitive activities; and</p> <p>c. The capacity of the site and adjoining transport system to accommodate parking for workers associated with the construction work; and</p> <p>d. The location of the site to nearby educational facilities and the need for heavy construction vehicles to avoid travelling past those during peak pick-up and drop off times (8.00 – 9.00am and 2.30-3.30pm) to ensure student pedestrian safety; and</p> <p>e. Any potential adverse effects on the safety and efficiency of the transport system; and/or</p> <p>f. The outcomes or recommendations of a Construction Traffic Management Plan undertaken by a suitably qualified transport professional.</p>	Support	The Ministry supports the policy to manage effects associated with construction traffic. The feedback provided by the Ministry around heavy construction vehicles has been adopted.	Retain as proposed.																								
18.	TRAN - Table 3	<p>TRAN - Table 3 - Parking and loading requirements and Integrated Transport Assessment (ITA) Thresholds</p> <table border="1"> <thead> <tr> <th>Educational activities</th> <th>Parking requirement</th> <th>ITA Threshold</th> <th>On-site loading requirement</th> </tr> </thead> <tbody> <tr> <td>Childcare services - child daycare centres and kindergartens</td> <td>1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate</td> <td>An ITA is required for proposals exceeding 30 children.</td> <td>None</td> </tr> <tr> <td>Childcare services - playgroups, playcentres and before/after-school programs that are not held on school premises</td> <td>1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate</td> <td>ITA not required</td> <td>None</td> </tr> <tr> <td>Primary and intermediate schools</td> <td>1 space per full-time staff equivalents plus 1 drop off space per 30 students</td> <td>All proposals require an ITA</td> <td>1 heavy commercial vehicle bay per site 1 bus bay per 50 students</td> </tr> <tr> <td>Secondary and area schools</td> <td>1 space per full-time staff equivalents plus 1 drop off space per 20 students plus 1 space per 10 students accommodated in Years 12 to 13</td> <td>All proposals require an ITA</td> <td>1 heavy commercial vehicle bay per site 1 bus bay per 50 students</td> </tr> <tr> <td>Tertiary education services</td> <td>1 space per full-time staff equivalents plus 1 space per three students</td> <td>An ITA is required where the education service provides for 100 or more students</td> <td>1 heavy commercial vehicle bay per site</td> </tr> </tbody> </table>	Educational activities	Parking requirement	ITA Threshold	On-site loading requirement	Childcare services - child daycare centres and kindergartens	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	An ITA is required for proposals exceeding 30 children.	None	Childcare services - playgroups, playcentres and before/after-school programs that are not held on school premises	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	ITA not required	None	Primary and intermediate schools	1 space per full-time staff equivalents plus 1 drop off space per 30 students	All proposals require an ITA	1 heavy commercial vehicle bay per site 1 bus bay per 50 students	Secondary and area schools	1 space per full-time staff equivalents plus 1 drop off space per 20 students plus 1 space per 10 students accommodated in Years 12 to 13	All proposals require an ITA	1 heavy commercial vehicle bay per site 1 bus bay per 50 students	Tertiary education services	1 space per full-time staff equivalents plus 1 space per three students	An ITA is required where the education service provides for 100 or more students	1 heavy commercial vehicle bay per site	Support in part	<p>TRAN - Table 3 also requires all primary and secondary schools to provide an Integrated Transport Assessment. The Ministry considers this appropriate.</p> <p>The Ministry recommends that all onsite loading requirements are removed. The ITA should determine how many bus bays or loading areas are appropriate for the school as more rural schools may require more buses than schools in Te Kūiti, where students may use public transport or active modes.</p>	Remove all onsite loading requirements for educational facilities in TRAN - Table 3
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19.	TRAN-R6.	<p>High trip generating activities <i>Activity Status: PER</i> <i>Where:</i> <i>The activity does not exceed the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3; and</i> <i>All of the performance standards in TRAN - Table 2 are complied with; and</i> <i>The provisions of this rule do not apply to activities that are the subject of approved resource consents, structure plans or plan changes at (notification date).</i></p> <p>Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> a. <i>The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and</i> b. <i>The effects of the activity on the safety, efficiency and effectiveness of the transport system, including consideration of cumulative effects with other existing and consented activities in the vicinity; and</i> c. <i>The extent to which the number, pattern and/or timing of vehicle movements is likely to adversely affect the amenity values and character of the immediate and surrounding area; and</i> d. <i>Whether the additional trip generation adversely impacts road condition and increases maintenance and or renewal requirements; and</i> e. <i>The extent to which the proposal has provided for connectivity and considered the integration of different modes and transport choices; and</i> f. <i>Any alternative locations and methods, such as travel planning, that were considered to avoid, remedy and mitigate any adverse effects, while recognising practical constraints and any benefits generated by the activity; and</i> g. <i>Consideration of outcomes and recommendations in the Integrated Transport Assessment provided with the application; and</i> h. <i>The extent to which suitable vehicle access, vehicle queuing, parking and manoeuvring are provided on site; and</i> i. <i>The extent to which the proposal relies on the provision of other infrastructure; and</i> j. <i>For any development involving access onto a State Highway, the results of consultation with Waka Kotahi New Zealand Transport Agency.</i> 	Support	The Ministry supports the provisions of a Restricted Discretionary activity for educational activities, where an Integrated Transport Assessment (ITA) is required in accordance with TRAN – Table 3. The Ministry typically prepares an ITA as part of the Notice of Requirement process, therefore, the ITA thresholds in TRAN – Table 3 are considered appropriate.	Retain as proposed
HAZARDS AND RISK					
Natural hazards					
20.	NH-O1	<p><i>Ensure that communities are resilient to the risks that natural hazards pose on people, property, infrastructure and the environment by providing for subdivision, use and development of land only where these risks are avoided or appropriately mitigated</i></p>	Support in part	The Ministry acknowledges the risk which natural hazards pose on people, property and the environment. However, at times the Ministry also has an operational need to provide educational facilities to existing communities in environments susceptible to the growing pressures of natural hazards and climate change.	<ul style="list-style-type: none"> • Ensure that communities are resilient to the risks that natural hazards pose on people, property, infrastructure and the environment by providing for subdivision, use and development of land only where these risks are avoided or appropriately mitigated-, <u>while recognising that some activities have a functional or operational need to be located in the natural hazard zones.</u>

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
				Consider the inclusion of the relief sought.	
21.	NH-R6.	<p>Earthworks The following rules apply to Building Platform Suitability Area C in all zones Activity Status: PER Where: The earthworks are to create a building platform for a new building or addition to an existing building are permitted provided that the earthworks volume and filling height is only to the extent necessary to achieve compliance with NH-R5.3. OR For all other earthworks: (i) The maximum volume of filling above natural ground level must not exceed 20 m³ per site and or exceed a maximum cumulative volume of filling and excavation of 50 m³ per site over the lifetime of this plan commencing from (the operative date); and (ii) Earthworks must not exceed a maximum height of 0.2 m of filling above natural ground level; and (iii) Earthworks must not exceed a maximum depth of excavation of 0.5 m below natural ground level.</p> <p>Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: a. The location, timing, design and density of soil disturbance and vegetation removal activities; and b. Any measures necessary to rehabilitate the land following the completion of the activity; and c. The findings of any risk assessment; and d. The method of sediment retention and sediment runoff control to be adopted; and e. Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and f. Effects on adjoining properties and infrastructure, including the transfer of flooding risk; and g. Mitigation proposed including compensatory storage, foundation design, site layout, geotechnical setbacks, the use, maintenance or enhancement of natural features or other flood management measures.</p>	Support in part	<p>Where no other practicable land options are available, the Ministry may need to establish educational facilities on land susceptible to flooding to support existing communities.</p> <p>It is unlikely the earthworks required for an educational facility will meet the permitted activity standards. The Ministry has an operational need to provide schools for existing communities in environments exposed to natural hazards. Therefore, the Ministry recommends the inclusion of a matter of discretion to allow the consideration if the earthworks are for an activity that has a functional or operational need to be located within Building Platform Suitability Area C.</p>	<p>Earthworks Activity Status: PER Where: The earthworks are to create a building platform for a new building or addition to an existing building are permitted provided that the earthworks volume and filling height is only to the extent necessary to achieve compliance with NH-R5.3. OR For all other earthworks: (i) The maximum volume of filling above natural ground level must not exceed 20 m³ per site and or exceed a maximum cumulative volume of filling and excavation of 50 m³ per site over the lifetime of this plan commencing from (the operative date); and (ii) Earthworks must not exceed a maximum height of 0.2 m of filling above natural ground level; and (iii) Earthworks must not exceed a maximum depth of excavation of 0.5 m below natural ground level.</p> <p>Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: a. The location, timing, design and density of soil disturbance and vegetation removal activities; and b. Any measures necessary to rehabilitate the land following the completion of the activity; and c. The findings of any risk assessment; and d. The method of sediment retention and sediment runoff control to be adopted; and e. Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and f. Effects on adjoining properties and infrastructure, including the transfer of flooding risk; and g. Mitigation proposed including compensatory storage, foundation design, site layout, geotechnical setbacks, the use, maintenance or enhancement of natural features or other flood management measures. h. <u>If the earthworks will enable an activity that has a functional or operational need to be located within the Building Platform Suitability Area C</u></p>
22.	NH-R11.	<p>The following rules apply to Building Platform Suitability Areas A and B in all zones</p> <p>All earthworks Activity Status: PER in BPS-B Activity Status: RDIS in BPS-A Where:</p>	Support in Part	It is unlikely the establishment of an educational facility will meet the permitted activity standards for earthwork volumes. The Ministry has an operational (and statutory) need to provide educational facilities to support	<p>The following rules apply to Building Platform Suitability Areas A and B in all zones</p> <p>All earthworks Activity Status: PER in BPS-B Activity Status: RDIS in BPS-A Where:</p>

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
		<p><i>The maximum volume of filling must not exceed 20 m3 per site; and Earthworks must not exceed a maximum height of 1 m of filling above ground level; and Earthworks must not exceed a maximum depth of excavation of 1 m below ground level.</i></p> <p>Activity status where compliance is not achieved in BPS-A: DIS Activity status where compliance is not achieved in BPS-B: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <i>The location, timing, design and density of soil disturbance and vegetation removal activities; and</i> <i>Any measures necessary to rehabilitate the land following the completion of the activity; and</i> <i>The method of sediment retention and sediment runoff control to be adopted; and</i> <i>The findings of any geotechnical assessment; and</i> <i>For new tracks and driveways, measures taken to follow the contour of the landscape and avoid large batter slopes or retaining walls; and</i> <i>Measures to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability; and</i> <i>Effects on adjoining properties and infrastructure from subsidence or landslip as a result of the earthworks; and</i> <i>Mitigation proposed to ensure the geotechnical and geological stability of the site following the completion of earthworks.</i> 		existing communities including in areas susceptible to land instability. The Ministry recommends the inclusion of a matter of discretion to consider if the earthworks are for an activity that has a functional or operational need to be located within the Building Platform Suitability Areas A and B.	<p>The maximum volume of filling must not exceed 20 m3 per site; and Earthworks must not exceed a maximum height of 1 m of filling above ground level; and Earthworks must not exceed a maximum depth of excavation of 1 m below ground level.</p> <p>Activity status where compliance is not achieved in BPS-A: DIS Activity status where compliance is not achieved in BPS-B: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location, timing, design and density of soil disturbance and vegetation removal activities; and Any measures necessary to rehabilitate the land following the completion of the activity; and The method of sediment retention and sediment runoff control to be adopted; and The findings of any geotechnical assessment; and For new tracks and driveways, measures taken to follow the contour of the landscape and avoid large batter slopes or retaining walls; and Measures to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability; and Effects on adjoining properties and infrastructure from subsidence or landslip as a result of the earthworks; and Mitigation proposed to ensure the geotechnical and geological stability of the site following the completion of earthworks. <u>If the earthworks will enable an activity that has a functional or operational need to be located within the Building Platform Suitability Areas A and B.</u>
SUBDIVISION					
Subdivision					
23.	SUB-P1	5. Maximises accessibility and connectivity with surrounding neighbourhoods, to nearby shops, schools, employment, open spaces and other activities through walkways and cycleways	Support in part	The Ministry recommend that 'educational facilities' replace the 'schools' as follows.	Amend as follows: 5. Maximises accessibility and connectivity with surrounding neighbourhoods, to nearby shops, schools <u>educational facilities</u> , employment, open spaces, and other activities through walkways and cycleways.
GENERAL DISTRICT WIDE MATTERS					
Noise					
24.	NOISE-O3.	<i>New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects.</i>	Support	The Ministry acknowledges the importance of reducing reverse sensitivity effects through the design and location of noise sensitive activities.	Retain as proposed

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				The Ministry's feedback from the draft has been adopted.																					
25.	NOISE-P2	<i>Reduce the potential for reverse sensitivity effects by employing land use controls that manage the design and/or location of new noise sensitive activities in proximity to areas that consistently experience higher noise levels.</i>	Support	<p>The Ministry acknowledges the importance of reducing reverse sensitivity effects. The Ministry can design educational facilities to a high standard with insulation to minimise reverse sensitivity effects.</p> <p>The Ministry's feedback from Draft Waitomo District Plan has been adopted.</p>	Retain as proposed																				
26.	NOISE- R9.	<p><i>Noise standards for the residential, rural lifestyle, settlement and Māori purpose zones</i></p> <p>1. <i>Within the residential, rural lifestyle, settlement and Māori purpose zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:</i></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>50 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>45 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>40 dBA(LAeq)</td> </tr> <tr> <td>10pm-7am</td> <td>70 dBA(LAmax)</td> </tr> </tbody> </table> <p>Matters of discretion if compliance is not achieved:</p> <ol style="list-style-type: none"> <i>The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and</i> <i>The degree to which the noise will be compatible with existing and anticipated activities; and</i> <i>The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</i> <i>Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</i> <i>Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and</i> <i>The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.</i> 	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm - 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	Support in part	<p>The Ministry recommends that specific activities associated with educational facilities be included in the definition of noise sensitive activities.</p> <p>The Ministry supports the proposed permitted activity standards for noise management in the residential, rural lifestyle, settlement and Māori purpose zones. However, educational facilities are often established in residential zones. Therefore, the Ministry request the inclusion of a matter of discretion to consider the proximity of the proposed noise generating activity to noise sensitive activities.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Noise standards for the residential, rural lifestyle, settlement and Māori purpose zones</p> <p>1. <i>Within the residential, rural lifestyle, settlement and Māori purpose zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:</i></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>50 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>45 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>40 dBA(LAeq)</td> </tr> <tr> <td>10pm-7am</td> <td>70 dBA(LAmax)</td> </tr> </tbody> </table> <p>Matters of discretion if compliance is not achieved:</p> <ol style="list-style-type: none"> <i>The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and</i> <i>The proximity of the activity to existing noise sensitive activities</i> <i>The degree to which the noise will be compatible with existing and anticipated activities; and</i> <i>The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</i> <i>Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</i> <i>Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and</i> 	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm - 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)
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ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought										
					The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.										
27.	NOISE- R10.	<p><i>Noise standards for the general rural and future urban zones</i></p> <p>1. <i>Noise generated by an activity in the general rural and future urban zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, future urban, tourism, rural lifestyle, settlement or Māori purpose zones:</i></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>50 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>45 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>40 dBA(LAeq)</td> </tr> <tr> <td>10pm-7am</td> <td>70 dBA(LAmax)</td> </tr> </tbody> </table> <p><i>In the event there are no existing noise sensitive activities on an adjoining site, but such activities could be constructed as a permitted activity under this plan, the noise levels will be assessed or, at or within a line 20m parallel to the legal boundary of the site where the noise source originates from.</i></p>	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm - 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	Support	<p>The Ministry recommends that specific activities associated with educational facilities be included in the definition of noise sensitive activities.</p> <p>The Ministry supports the proposed standards of noise limits to manage the noise effects on noise sensitive activities in the General Rural and Future Urban zones.</p>	Retain as proposed
Time	Noise limit														
7am - 7pm	50 dBA(LAeq)														
7pm - 10pm	45 dBA(LAeq)														
10pm - 7am	40 dBA(LAeq)														
10pm-7am	70 dBA(LAmax)														
28.	NOISE- R13.	<p><i>Noise standards for the commercial and tourism zones</i></p> <p>1. <i>Noise generated by an activity in the commercial and tourism zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, open space, natural open space, rural lifestyle, settlement, future urban or Māori purpose zones:</i></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>50 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>45 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>40 dBA(LAeq)</td> </tr> <tr> <td>10pm-7am</td> <td>70 dBA(LAmax)</td> </tr> </tbody> </table> <p>Matters of discretion if compliance is not achieved:</p> <ol style="list-style-type: none"> <i>The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</i> <i>The degree to which the noise will be compatible with existing and anticipated activities; and</i> <i>The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</i> <i>Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</i> <i>Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design</i> 	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm - 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	Support	<p>The Ministry recommends that specific activities associated with educational facilities be included in the definition of noise sensitive activities.</p> <p>The Ministry supports the proposed standards of noise limits to manage the noise effects on noise sensitive activities in the commercial and tourism zones.</p>	Retain as proposed
Time	Noise limit														
7am - 7pm	50 dBA(LAeq)														
7pm - 10pm	45 dBA(LAeq)														
10pm - 7am	40 dBA(LAeq)														
10pm-7am	70 dBA(LAmax)														

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
		<p>and location of structures and equipment and the timing of operations; and</p> <p>f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and</p> <p>g) Ambient noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; and</p> <p>2. The economic benefits, including providing opportunities for employment that will be derived from the activity.</p>			
29.	NOISE-R17	<p>Emission of noise from frost fans</p> <p>1. Noise generated by frost fans must not exceed 55 dBA(LAeq) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.</p> <p>2. Frost fans must only be operated when the local air temperature drops to, or below 2oC, recorded at a height above ground relevant to the height of the bud or fruit being protected.</p> <p>3. Records of annual calibration of the frost fan temperature sensors must be kept and made available to Waitomo District Council on request.</p> <p>Matters of discretion if compliance is not achieved:</p> <p>a) The proximity of the frost fan(s) relative to noise sensitive activities and the residential zone; and</p> <p>b) The proposed height of fans and the type of motor, speed and the number of blades on the fan(s); and</p> <p>c) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>d) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</p> <p>e) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</p> <p>f) How the operation (conditions triggering use) and management of the frost fan(s) network will avoid or minimize potential effects on neighboring properties; and</p> <p>g) Mitigation proposals to address potential noise and vibration effects; and</p> <p>2. The economic benefits, including providing opportunities for employment that will be derived from the activity.</p>	Support	<p>As per row 03 above, the Ministry recommends that specific activities associated with educational facilities be included in the definition of noise sensitive activities.</p> <p>The Ministry supports the proposed standards of noise limits to manage the noise effects from frost fans on noise sensitive activities.</p>	Retain as proposed
Temporary Activities					
30.	Overview	This plan allows for temporary commercial activities such as markets or sales run by a third party, to occur in educational facilities and churches.	Support	The Ministry supports this as it has been adopted from the Ministry's feedback on the draft Waitomo District Plan Review.	Retain as proposed.
31.	TEMP-P3	Recognise the economic and social benefits to the community from providing for limited duration commercial activities within educational and community facilities.	Support	The Ministry recognises the importance of providing the community with the opportunity for limited duration commercial activities for social and economic benefits.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
32.	TEMP-P4	<i>Where it is proposed to host commercial activities within educational and community facilities for a duration that exceeds the time period provided for as a permitted activity, ensure the activity is managed so as to be compatible with the amenity levels expected in the surrounding zone.</i>	Support	The Ministry recognises the importance of managing amenity levels when hosting commercial activities within educational and community facilities that exceed the time period provided for as a permitted activity.	Retain as proposed.
33.	TEMP P6	<i>Ensure that the effects of temporary events, associated commercial activities and commercial filming that exceed the parameters of the rules consider and manage: The extent to which the traffic effects can be appropriately mitigated</i>	Support	The Ministry recognises the importance of temporary events for the community and the appropriate mitigation for traffic effects of these events.	Retain as proposed.
Part 3- Area Specific Matters					
Residential zones					
34.	Residential Zone RESZ-09	<i>Avoid the establishment of non-residential activities unless the activity directly provides for the health and wellbeing of the local community.</i>	Support in part	The Ministry supports RESZ-09 in part however, requests that additional infrastructure, such as educational facilities, is allowed to establish in the RESZ that supports the social and cultural wellbeing of the local community as per Part 2 Section 5(2) of the Resource Management Act 1991 (RMA). The Ministry therefore proposes the following amendments to RESZ-09. This feedback has not been adopted from the Draft Waitomo District Plan review.	RESZ-09 Avoid the establishment of non-residential activities unless the activity directly provides for <u>additional infrastructure that supports the health and the social and cultural</u> wellbeing of the local community.
35.	Residential Zone RESZ-P18	<i>Provide for Marae complex, healthcare activities, visitor accommodation, campgrounds, educational and community facilities outside of the precincts only where the actual and potential reverse sensitivity effects can be managed by:</i> <i>Managing the hours of operation of activities; and Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and Employing landscaping, height, building coverage, and bulk and location controls as the primary means of maintaining the amenity values and character of the zone in respect of privacy, access to sunlight and overshadowing; and Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation during night-times and early mornings.</i>	Support in part	The Ministry supports Policy RESZ-P15 as it provides for educational facilities outside the precincts only where the actual and potential reverse sensitivity can be appropriately managed by implementing the listed measures. For consistency in reading the Plan the Ministry requests that educational facilities are separated from community facilities to provide clarity for Plan users (see RESZ-R12 for example).	Provide for Marae complex, healthcare activities, visitor accommodation, campgrounds, educational <u>facilities</u> and community facilities outside of the precincts only where the actual and potential reverse sensitivity effects can be managed by: Managing the hours of operation of activities; and Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and Employing landscaping, height, building coverage, and bulk and location controls as the primary means of maintaining the amenity values and character of the zone in respect of privacy, access to sunlight and overshadowing; and Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation during night-times and early mornings.
36.	Residential Zone	<i>Educational facilities and community facilities, libraries and museums</i> Activity status: DIS	Support in part	The Ministry is concerned about the discretionary activity status and considers that educational facilities	RESZ-R12

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	RESZ-R12	Activity status where compliance is not achieved: N/A		<p>should be enabled where there is potential for a population to support them. This will provide local communities with essential social infrastructure (educational facilities) to service the immediate catchment areas in residential zones and encourage active modes of transport to reduce vehicle reliance.</p> <p>The Ministry therefore request “educational facilities” is removed from this provision and a new provision added with an activity status of restricted discretionary for educational facilities in the RESZ as per row 20 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Educational facilities and e-Community facilities, libraries and museums</p> <p>Activity status: DIS</p> <p>Activity status where compliance is not achieved: N/A</p>
37.	Residential Zone RESZ Rules	N/A	New Provision	<p>The Ministry requests that educational facilities are enabled in the RESZ to serve the education needs of the residential community and suggest a restricted discretionary activity status and the following matters of discretion.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p><u>RESZ-RXX</u></p> <p><u>Educational facilities</u></p> <p><u>Activity status: RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <ol style="list-style-type: none"> <u>The size, design, location, construction, and materials used; and</u> <u>Effects on the streetscape and amenity of the area; and</u> <u>The level of on-site amenity and landscaping; and</u> <u>Adverse effects on the safe, efficient, and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and</u> <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> <u>Consideration of reverse sensitivity effects; and</u> <u>The extent to which the key moves in the relevant Town Concept Plan has been considered and provided for.</u>
38.	Railway Cottage Cluster Precinct PREC1-R11	<p><i>Educational facilities and community facilities, libraries and museums</i></p> <p>Activity status: NC</p> <p>Activity status where compliance is not achieved: N/A</p>	Support	<p>The Ministry supports the non-complying activity status for educational facilities in the Railway Cottage Cluster Precinct (PREC1) as this precinct covers a very limited area and is unlikely to be a location in which educational facilities are specifically required.</p>	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
39.	Te Kumi Commercial Precinct PREC2-R16	<i>Educational facilities and community facilities, libraries and museums</i> Activity status: DIS Activity status where compliance is not achieved: N/A	Support	The Ministry supports the discretionary activity status for educational facilities in the Te Kumi Commercial Precinct (PREC2) as this precinct covers a very limited area and is unlikely to be a location in which educational facilities are specifically required.	Retain as proposed.
Rural zones					
40.	General Rural Zone GRUZ-O8.	<i>Only non-farming activities that are ancillary to a farming activity or have a functional and operational need to locate in the general rural zone shall be enabled.</i>	Support	The Ministry supports GRUZ-O8 as it provides for non-farming activities which have a functional and operational need to locate in the GRUZ such as educational facilities.	Retain as proposed.
41.	General Rural Zone GRUZ-P1	<i>Land use activities and development must be restricted to a density, scale and intensity and be located appropriately, in order to maintain rural character and amenity by:</i> <i>Ensuring agricultural, pastoral and horticultural activities predominate in the zone; and</i> <i>Ensuring structures are an appropriate scale and appropriately located; and</i> <i>Avoiding ribbon development and residential cluster development, along the coastline, unless no other practicable alternative locations exist; and</i> <i>Preserving the rural character of entrance roads to towns and settlements; and</i> <i>Maintaining a delineation between urban and rural areas by avoiding aggregations of buildings and non-farming uses on the outskirts of towns and settlements; and</i> <i>Avoiding the establishment of fortified sites; and</i> <i>Providing for recreational hunting activities; and</i> <i>Enabling marae complex and papakāinga development as a recognised part of rural character, subject to provision of adequate servicing and managing potential adverse effects; and</i> <i>Enabling the use and development of rural halls and educational facilities as a recognised part of rural character where activities provide for the well-being of the community and service or support an identified local need.</i>	Support	The Ministry supports that the use and development of education facilities are provided for in this policy. The Ministry considers that educational facilities, such as early childhood centres and primary schools (all encompassed in the definition of education facilities), should be provided for where there is potential for a population to support them including in the GRUZ. This will provide local communities with essential additional infrastructure to service the immediate catchment areas in rural zones. Typically, all of these facilities are already provided in rural areas.	Retain as proposed.
42.	General Rural Zone GRUZ-R24	<i>Educational facilities and community facilities</i> Activity status: DIS Activity status where compliance is not achieved: N/A	Support in part	The Ministry is concerned about the discretionary activity status and considers that educational facilities, particularly early childhood centres and schools, should be enabled where there is potential for a population to support them including in the GRUZ. This will provide local communities with essential social infrastructure to service the immediate catchment areas in rural zones. The Ministry therefore requests “educational facilities” is removed from this provision and a new provision added with an activity status of restricted	GRUZ-R24 Educational facilities and Community facilities Activity status: DIS Activity status where compliance is not achieved: N/A

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
				<p>discretionary for educational facilities in GRUZ as per row 27 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	
43.	General Rural Zone GRUZ-R23	<p><i>GRUZ-R23</i></p> <p><i>Rural-based education activities.</i></p> <p>Activity status: RDIS Where <i>The activity is ancillary to an agricultural, pastoral or horticultural activity; and</i> <i>For wineries, breweries, distilleries and cafes the hours of operation are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays.</i></p> <p>Where the activity is RDIS, the matters over which discretion is restricted are: <i>The effect on surrounding properties, rural character and amenity; and</i> <i>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</i> <i>The effects associated with layout, design and location of the activity, including operating hours; and</i> <i>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</i> <i>Provision of on-site infrastructure; and</i> <i>Potential reverse sensitivity effects on any adjoining rural activities.</i></p>	Oppose	<p>The Ministry opposes the definition for “rural-based education activities” as the definition for ‘educational facilities’ includes rural-based education activities. The level of effects of these activities are generally the same (traffic, noise, buildings) therefore the Ministry request the removal of GRUZ-R23 from the Plan and request a restricted discretionary activity status for educational facilities as per row 27 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>GRUZ-R22.</p> <p>Wineries, breweries, distilleries and cafes</p> <p>GRUZ-R23</p> <p>Rural-based education activities.</p> <p>Activity status: RDIS Where The activity is ancillary to an agricultural, pastoral or horticultural activity; and For wineries, breweries, distilleries and cafes the hours of operation are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays.</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are: The effect on surrounding properties, rural character and amenity; and Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and The effects associated with layout, design and location of the activity, including operating hours; and Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and Provision of on-site infrastructure; and Potential reverse sensitivity effects on any adjoining rural activities.</p>
44.	General Rural Zone Rules	N/A	New Provision	<p>The Ministry requests that educational facilities are enabled in the GRUZ to serve the education needs of the rural community and suggest a restricted discretionary activity status and the following matters of discretion.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p>GRUZ-RXX</p> <p>Educational facilities</p> <p>Activity status: RDIS Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The effect on surrounding properties, rural character and amenity; and Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and The effects associated with layout, design and location of the activity, including operating hours; and Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient

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					<p>off-street parking and the effects of traffic generation; and</p> <p>e. Provision of on-site infrastructure; and</p> <p>f. Potential reverse sensitivity effects on any adjoining rural activities.</p>
45.	Rural Production Zone Objectives	N/A	New provision	<p>The Ministry acknowledges that the primary purpose of the RPROZ is to provide for primary production and compatible activities.</p> <p>However, the Ministry considers that education facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres and sports training establishments should be provided for in the RPROZ as these activities are an essential social infrastructure that may need to be located within rural production areas.</p> <p>The Ministry considers certain Educational Facilities complementary and compatible non-rural production activities and therefore requests the following new objective for educational facilities in the RPROZ .</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p>RPROZ-OX</p> <p>Provide for additional infrastructure within the Rural Production Zone.</p>
46.	Rural Production Zone Policies	N/A	New provision	<p>The Ministry acknowledges that the primary purpose of the RPROZ is to provide for primary production and compatible activities.</p> <p>However, the Ministry considers that education facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres and sports training establishments should be provided for in the RPROZ as these activities are an essential social infrastructure that may need to be located within rural production areas.</p> <p>The Ministry considers certain Educational Facilities complementary and compatible non-rural production activities and therefore requests the following new policy for educational facilities in the RPROZ as per row 30 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p>RPROZ – PX</p> <p>Provide for educational facilities as needed to support rural communities.</p>

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47.	Rural Production Zone Rules	N/A	New provision	<p>The Ministry acknowledges that the primary purpose of the RPROZ is to provide for primary production and compatible activities, however, the Ministry consider that education facilities, such as work skills training centres, should be provided for in the RPROZ as these are complementary and compatible activities.</p> <p>The Ministry requests that educational facilities are enabled in the RPROZ to serve the education needs of the rural production community and suggest a restricted discretionary activity status and the following matters of discretion.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p><u>RPROZ-RXX</u></p> <p><u>Educational facilities</u></p> <p><u>Activity status: RDIS</u> <u>Matters over which discretion is restricted:</u></p> <ol style="list-style-type: none"> <u>The effect on surrounding properties, rural character and amenity; and</u> <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> <u>The effects associated with layout, design and location of the activity, including operating hours; and</u> <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> <u>Provision of on-site infrastructure; and</u> <u>Potential reverse sensitivity effects on any adjoining rural activities.</u>
48.	Rural Lifestyle Zone Objectives	N/A	New provision.	<p>The Ministry acknowledges that the primary purpose of the RLZ is rural lifestyle however, residential development is anticipated in this zone.</p> <p>The Ministry considers that educational facilities, particularly early childhood centres and schools, should be provided for where there is potential for a population to support them including in the RLZ. This will provide local communities with essential social infrastructure to service the immediate catchment areas in rural zones.</p> <p>The Ministry therefore requests the following new objective for educational facilities in the RLZ.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows under 'Objectives' heading:</p> <p><u>RLZ – OX</u></p> <p><u>Avoid the establishment of non-rural lifestyle activities unless they provide additional infrastructure that supports the social and economic wellbeing of the local community and support an identified local need.</u></p>
49.	Rural Lifestyle Zone RLZ-P18	<i>Provide for non-residential activities only where these provide for the health and well-being of the community and support an identified local need.</i>	Support in part	<p>The Ministry supports RLZ-P18 in part however, it requests that additional infrastructure, such as educational facilities, is allowed to establish in the RLZ where it supports the social and economic wellbeing of the local community as per Part 2 Section 5(2) of the RMA.</p> <p>The Ministry therefore proposes the following amendments to RLZ-P18.</p>	<p>RLZ-P18</p> <p>Provide for non-residential activities <u>including additional infrastructure</u> only where these provide for <u>the health and social and economic</u> wellbeing of the community and support an identified local need.</p>

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
				This feedback has not been adopted from the Draft Waitomo District Plan review.	
50.	Rural Lifestyle Zone RLZ-R10	<i>Educational facilities and community facilities</i> Activity status: DIS Activity status where compliance is not achieved: N/A	Support in part	<p>The Ministry is concerned about the discretionary activity status and considers that educational facilities, particularly early childhood centres and schools, should be enabled where there is potential for a population to support them including in the RLZ. This will provide local communities with essential social infrastructure to service the immediate catchment areas in rural zones.</p> <p>The Ministry therefore requests "educational facilities" is removed from this provision and a new provision added with an activity status of restricted discretionary for educational facilities in RLZ as per row 34 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	RLZ-R10 Educational facilities and e Community facilities Activity status: DIS Activity status where compliance is not achieved: N/A
51.	Rural Lifestyle Zone Rules	N/A	New Provision	<p>The Ministry requests that educational facilities are enabled in the RLZ to serve the education needs of the rural community and suggest a restricted discretionary activity status and the following matters of discretion.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	Add as follows: <u>RLZ – RXX</u> <u>Educational facilities</u> Activity status: RDIS <u>Matters over which discretion is restricted:</u> a. <u>The effect on surrounding properties, rural character and amenity; and</u> b. <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> c. <u>The effects associated with layout, design and location of the activity, including operating hours; and</u> d. <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> e. <u>Provision of on-site infrastructure; and</u> f. <u>Potential reverse sensitivity effects on any adjoining rural activities.</u>
52.	Settlement Zone SETZ-01	SETZ-01 <i>Enable a mix of residential, community, educational and commercial activities of an appropriate scale, to locate within the zone.</i>	Support	<p>The Ministry supports this objective as it enables 'educational facilities' to support the social wellbeing of the local community as per Part 2 Section 5(2) of the RMA.</p> <p>The Ministry considers that educational facilities, particularly early childhood centres and schools, should be enabled</p>	Retain as proposed.

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				where there is potential for a population to support them including in the SETZ. This will provide local communities with essential social infrastructure to service the immediate catchment areas in rural zones.	
53.	Settlement Zone SETZ-P1	<p><i>SETZ-P1</i></p> <p><i>Within this zone, provide for a range of activities while ensuring that developments maintain and enhance amenity by:</i></p> <p><i>Requiring land use activities and development to be appropriately located and of a density, scale and intensity that maintains the settlement's character; and</i></p> <p><i>In Maniaiti/Benneydale and Mokau, encouraging achievement of the outcomes specified in the key moves of the relevant Town Concept Plan; and</i></p> <p><i>Managing maximum floor space requirement so that the scale, location and operation of activities are consistent with the capacity, design and function of the roading hierarchy; and</i></p> <p><i>Ensuring new development contributes to the consolidation of activities within the settlement zone boundaries; and</i></p> <p><i>Encouraging new and innovative commercial, tourism and retail activities, whether these are temporary or permanent; and</i></p> <p><i>Encouraging the reuse of vacant buildings; and</i></p> <p><i>Enabling activities which provide for the health and well-being of the community and support an identified local need; and</i></p> <p><i>Protecting cultural and heritage features; and</i></p> <p><i>Where a landscape is scheduled over the settlement zone, requiring activities to protect and enhance the natural landscape setting; and</i></p> <p><i>Encouraging activities which support enhanced public access to the coast, lakes and river margins as appropriate.</i></p>	Support	The Ministry supports this policy as it enables activities which provide for the health and well-being of the community and support an identified local need such as educational facilities.	Retain as proposed.
54.	Settlement Zone SETZ-R12	<p><i>Educational facilities and community facilities, libraries and museums</i></p> <p>Activity status: PER</p> <p>Where:</p> <p><i>All of the performance standards in SETZ –Table 2 are complied with; and</i></p> <p><i>In Mokau the activities must occur on front sites adjacent to State Highway 3 or Oha Street; or</i></p> <p><i>In Marokopa the activities must occur on front sites adjacent to Marokopa Road or Rauparaha Street; or</i></p> <p><i>In Maniaiti/Benneydale the activities must occur on front sites adjacent to State Highway 30 or Maniaiti Road; or</i></p> <p><i>In Taharoa the activities must occur on front sites adjacent to Taharoa Road or Kiwi Street; or</i></p> <p><i>In Awakino, Aria, Kinohaku and Te Waitere the activities may anywhere in the settlement zone but must occur on front sites.</i></p> <p><i>Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are discretionary activities.</i></p> <p><i>Note: For the avoidance of doubt nothing in this rule precludes anybody from living on site</i></p> <p>Activity status where compliance is not achieved: DIS</p>	Support in part	<p>The Ministry supports SETZ-R12 as it provides for educational facilities in the SETZ as a permitted activity assuming performance standards are complied with.</p> <p>The Ministry recommends an activity status of Restricted Discretionary for educational facilities where compliance is not achieved with specific standards for consistency in the Plan and considers this appropriate to enable reverse sensitivity to be managed.</p> <p>The Ministry therefore requests “educational facilities” is removed from this provision and a new provision added for educational facilities (SETZ-R12A) as per row 38 below.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>SETZ-R12</p> <p>Educational facilities and Community facilities, libraries and museums</p> <p>Activity status: PER</p> <p>Where:</p> <p>All of the performance standards in SETZ –Table 2 are complied with; and</p> <p>In Mokau the activities must occur on front sites adjacent to State Highway 3 or Oha Street; or</p> <p>In Marokopa the activities must occur on front sites adjacent to Marokopa Road or Rauparaha Street; or</p> <p>In Maniaiti/Benneydale the activities must occur on front sites adjacent to State Highway 30 or Maniaiti Road; or</p> <p>In Taharoa the activities must occur on front sites adjacent to Taharoa Road or Kiwi Street; or</p> <p>In Awakino, Aria, Kinohaku and Te Waitere the activities may anywhere in the settlement zone but must occur on front sites.</p> <p><i>Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are discretionary activities.</i></p>

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					<p><i>Note: For the avoidance of doubt nothing in this rule precludes anybody from living on site</i></p> <p>Activity status where compliance is not achieved: DIS</p>
55.	Settlement Zone SETZ-R12	<p><i>Educational facilities and community facilities, libraries and museums</i></p> <p>Activity status: PER Where: <i>All of the performance standards in SETZ –Table 2 are complied with; and</i> <i>In Mokau the activities must occur on front sites adjacent to State Highway 3 or Oha Street; or</i> <i>In Marokopa the activities must occur on front sites adjacent to Marokopa Road or Rauparaha Street; or</i> <i>In Maniaiti/Benneydale the activities must occur on front sites adjacent to State Highway 30 or Maniaiti Road; or</i> <i>In Taharoa the activities must occur on front sites adjacent to Taharoa Road or Kiwi Street; or</i> <i>In Awakino, Aria, Kinohaku and Te Waitere the activities may anywhere in the settlement zone but must occur on front sites.</i></p> <p><i>Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are discretionary activities.</i> <i>Note: For the avoidance of doubt nothing in this rule precludes anybody from living on site</i></p> <p>Activity status where compliance is not achieved: DIS</p>	Support in part	<p>The Ministry supports SETZ-R12 as it provides for educational facilities in the SETZ as a permitted activity assuming performance standards are complied with.</p> <p>The Ministry recommends an activity status of Restricted Discretionary for educational facilities where compliance is not achieved with specific standards for consistency purposes and consider this appropriate to manage reverse sensitivity.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>SETZ-R12^A</p> <p>Educational facilities and community facilities, libraries and museums</p> <p>Activity status: PER Where: All of the performance standards in SETZ –Table 2 are complied with; and In Mokau the activities must occur on front sites adjacent to State Highway 3 or Oha Street; or In Marokopa the activities must occur on front sites adjacent to Marokopa Road or Rauparaha Street; or In Maniaiti/Benneydale the activities must occur on front sites adjacent to State Highway 30 or Maniaiti Road; or In Taharoa the activities must occur on front sites adjacent to Taharoa Road or Kiwi Street; or In Awakino, Aria, Kinohaku and Te Waitere the activities may anywhere in the settlement zone but must occur on front sites.</p> <p><i>Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are <u>restricted</u> discretionary activities.</i> <i>Note: For the avoidance of doubt nothing in this rule precludes anybody from living on site</i></p> <p>Activity status where compliance is not achieved: DISRDIS <u>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</u></p> <ol style="list-style-type: none"> <u>The effect on surrounding properties, rural character and amenity; and</u> <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> <u>The effects associated with layout, design and location of the activity, including operating hours; and</u> <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> <u>Provision of on-site infrastructure; and</u> <u>Potential reverse sensitivity effects on any adjoining rural activities.</u>
56.	Mokau Commercial Precinct PREC4-R9	<p><i>Educational facilities and community facilities, libraries and museums</i></p> <p>Activity status: PER Where: <i>All of the performance standards in SETZ –Table 2 are</i></p>	Support	The Ministry supports this rule as it provides for educational facilities in the Mokau Commercial Precinct as a permitted activity subject to compliance with specific standards.	Retain as proposed.

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		<p><i>complied with; and Show homes are subject to the same requirements as a residential unit.</i></p> <p>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter. Note: The rules in the coastal environment chapter also apply.</p> <p>Activity status where compliance is not achieved with SETZ-R29 to SETZ-R39: RDIS</p> <p>Activity status where compliance is not achieved with SETZ-R40 to SETZ-44: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are: <i>The matters of discretion associated with any performance standard which cannot be complied with in SETZ -Table 2.</i></p>		<p>The Ministry supports the activity status of Restricted Discretionary or Discretionary for educational facilities where compliance is not achieved with specific standards for consistency in the Plan and considers this appropriate to manage reverse sensitivity.</p> <p>Further, the Ministry supports the matters of discretion being associated with failed performance standards and consider this reasonable.</p>	
Commercial zones					
57.	Commercial Zone COMZ-O2	Provide for community facilities, educational facilities and marae complexes in the commercial zones.	Support	<p>The Ministry supports this objective as it provides for educational facilities in the commercial zone.</p> <p>The Ministry considers that educational facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres and vocational training centres should be provided for in the Commercial Zone as these activities are an essential social infrastructure that may need to be located within commercial areas for the convenience of parents and students.</p>	Retain as proposed.
58.	Commercial Zone Policies	N/A	New provision	<p>The Ministry requests a new policy for the COMZ which recognises and anticipates a mix of activities within the Commercial Zone which meet the needs of the local community with convenient access to goods and services.</p> <p>Various educational facilities such as tertiary education institutions, work skills training centres, vocational training centres and early childhood education centres may need to be located within commercial areas for the convenience of parents and students and in relation to their studies and these need to be provided for.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p><u>COMZ – PX</u></p> <p><u>Provide for a mix of activities within the Commercial Zone which meet the needs of the local community with convenient access to goods and services, while ensuring adverse effects on the environment, human health and safety are avoided, remedied or mitigated.</u></p>
59.	Commercial Zone	Educational facilities, community facilities and Marae Complex	Support	The Ministry supports Rule COMZ-R6 as it enables the establishment of	Retain as proposed.


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	COMZ-R6	<p>Activity status: PER Where: <i>All of the performance standards in COMZ – Table are complied with.</i></p> <p><i>Note: Where the building is listed in SCHED1 – Heritage Buildings and Structures, also see the historic heritage chapter.</i></p> <p>Activity status where compliance is not achieved with COMZ-R28 to COMZ-R30: RDIS</p> <p>Activity status where compliance is not achieved with COMZ-R31 to COMZ-R37: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are: <i>The matters of discretion associated with any performance standard which cannot be complied with in COMZ -Table 2.</i></p> <p>Activity status: NC Where: <i>Residential units, minor residential units and duplex dwellings at ground level proposed to locate in the Piopio commercial zone; or Compact housing developments proposed to locate in the Piopio commercial zone.</i></p> <p>Activity status where compliance is not achieved: N/A</p>		<p>educational facilities in the COMZ as a permitted activity assuming performance standards are complied with.</p> <p>The Ministry accepts the activity status of Restricted Discretionary and Discretionary where compliance is not achieved with specific standards as appropriate to manage reverse sensitivity.</p>	
60.	Te Kūiti CBD Precinct PREC5-R16	<p><i>Educational facilities, community facilities and Marae complex</i></p> <p>Activity Status: RDIS Where: <i>The building or site has been vacant for more than 2 years.</i></p> <p>Where the activity is RDIS, the matters over which discretion is restricted are: <i>The size, design, position, construction and materials used; and Effects on the streetscape and amenity of the area; and The level of on-site amenity provided including the provision of verandahs, the percentage of transparent display windows proposed in the street facing façade(s), the use of design features to improve interface with the pedestrian environment and the location of the main public entrance into the building; and Adverse effects on the safe, efficient and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and The positive effects of repurposing the building or site. The extent to which the key moves in the Te Kūiti Town Concept Plan have been considered and provided for.</i></p> <p>Activity status where compliance is not achieved: DIS</p>	Support	The Ministry supports the restricted discretionary activity status for educational facilities subject to the building/site having been vacant for over 2 years in the Te Kuiti CBD Precinct (PREC5) as this precinct covers a very limited area and is unlikely to be a location in which educational facilities are specifically required.	Retain as proposed.
Industrial zones					
61.	Industrial Zone	<i>Ensure that the industrial zone is developed and functions in a way that restricts the establishment of non-industrial activities and protects</i>	Support in part	The Ministry supports this objective in part to reserve the industrial zone for	Ensure that the industrial zone is developed and functions in a way that restricts the establishment of

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	INZ-O1	<i>industrial activities from incompatible land uses and reverse sensitivity effects.</i>		<p>industrial activities, however, requests that activities with a functional need to locate in the zone or are supportive of, ancillary to, or complementary to, the industrial purpose of the zone are enabled.</p> <p>The Ministry considers that educational facilities such as work skills training centres and sports training establishments should be provided for in the Industrial Zone as they may have a functional need to be located in the zone (e.g., fork lift driver training) and will have a similar level of effects to other industrial activities.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	non-industrial activities except where there is a functional need for the activity to locate in the zone, or are supportive of, ancillary to, or complementary to, the industrial purpose of the zone and protects industrial activities from incompatible land uses and reverse sensitivity effects.
62.	Industrial Zone INZ-P3	<i>Avoid the establishment of residential activities, educational facilities, community facilities and visitor accommodation except where there is a functional need for an activity to locate in the zone.</i>	Support	The Ministry supports this objective and consider educational facilities such as work skills training centres and sports training establishments to have a functional need in the Industrial Zone and a similar level of effects to other industrial activities.	Retain as proposed.
63.	Industrial Zone Rules	N/A	New provision	<p>The Ministry considers that educational facilities such as work skills training centres and sports training establishments should be provided for in the Industrial Zone as they may have a functional need to be located in the Industrial Zone (e.g. fork lift driver training) and will have a similar level of effects to other industrial activities.</p> <p>The Ministry requests the following new rule in the INZ to serve the education needs of the industrial zone and suggest a discretionary activity status.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Add as follows:</p> <p>INZ – RX</p> <p>Educational facilities</p> <p>Activity status: DIS</p>
Open space and recreation zones					
64.	Natural Open Space Zone NOSZ-O3	<i>Permit a range of recreational, tourism and social uses and associated buildings and activities that are compatible with the zone's value and character.</i>	Support	The Ministry support NOSZ-O3 as it supports a range of activities such as educational facilities which are compatible with the zone's value and character.	Retain as proposed
65.	Natural Open Space Zone NOSZ-P3	<i>Only allow for potentially incompatible activities and development where they do not conflict with the zone's natural, ecological, landscape, cultural and heritage values by ensuring that: The scale, type and extent of commercial and tourism activities is restricted to those activities and development that have a functional</i>	Support	The Ministry supports the the allowance for potentially incompatible activities and development where they do not conflict with the zone's natural, ecological, landscape, cultural and	Retain as proposed.

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		<i>need to locate in that environment or those activities which are ancillary to temporary events; and The adverse effects of infrastructure provision are avoided, remedied or mitigated whilst recognising their positive effects and functional and operational needs; and The activity does not restrict the public use and enjoyment of the zone.</i>		heritage values by ensuring the listed criteria are met.	
66.	Open Space Zone OSZ-O1.	<i>Enable the open space zone to be used and developed for a range of recreational and community purposes.</i>	Support	The Ministry supports OSZ-O3 as it supports a range of recreational and community purposes such as education and educational facilities.	Retain as proposed.
Special purpose zones					
67.	Māori Purpose Zone MPZ-O2	<i>Support the aspirations of mana whenua to create prosperous, healthy, innovative communities that offer opportunities for growth while managing the adverse effects on the environment.</i>	Support	The Ministry supports this objective as it supports mana whenua aspirations for the prosperous, healthy, innovative communities and therefore activities to support this such as educational facilities.	Retain as proposed.
68.	Māori Purpose Zone MPZ Policy	N/A	New Provision	The Ministry suggests a new policy to support MPZ-O2 to provide for a mix of activities to support mana whenua aspirations. The Ministry also notes that a mix of these activities in the MPZ have a permitted activity status in the Plan, including educational facilities (see row 56 below). The Ministry therefore requests the following new policy for the MPZ. This feedback has not been adopted from the Draft Waitomo District Plan review.	Add as follows: <u>MPZ- PX</u> <u>To provide for a mix of activities within the Māori Purpose zone which meet the needs of the local community and support mana whenua aspirations.</u>
69.	Māori Purpose Zone MPZ-R6	<i>Healthcare facilities, educational facilities, community facilities, arts and cultural centres.</i> Activity status: PER Where: <i>All of the performance standards in MPZ - Table 2 are complied with; and The new building does not exceed 250 m² in size or the addition to any existing building does not result in a building that exceeds 250 m² in size; and One boarding house per each individual zone is permitted accommodating no more than 6 persons.</i> Activity status when compliance is not achieved: RDIS Matters over which discretion is restricted: <i>The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and The effect on amenity values of nearby residential properties and public places; and</i>	Support	The Ministry supports the provision of educational facilities in the MPZ and the standards to manage the operation of educational facilities in the MPZ.	Retain as proposed.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
		<p><i>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</i> <i>On-site amenity values; and</i> <i>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</i> <i>The extent of impervious surfaces and landscaping; and</i> <i>Provision of on-site infrastructure; and</i> <i>Potential reverse sensitivity effects on any adjoining activities.</i></p>			
70.	Tourism Zone TOUZ-O4	<p><i>Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.</i></p>	Support in part	<p>The Ministry supports this objective in part as it ensures that development is provided with sufficient servicing and infrastructure. However, the Ministry requests that additional infrastructure, a term defined in the NPS-UD, is specifically included. Additional infrastructure includes social infrastructure such as educational facilities which may need to be located in the Tourism Zone to service the local community. This amendment supports the proposed permitted activity status for educational facilities in this zone.</p> <p>This feedback has not been adopted from the Draft Waitomo District Plan review.</p>	<p>Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision (including additional infrastructure).</p>
71.	Tourism Zone TOUZ-P1	<p><i>Within Waitomo Caves Village, provide for a wide range of aboveground and underground tourist facilities, recognising the unique caves environment and ensuring that developments reflect the existing design features of the Waitomo Caves Village by:</i> <i>Requiring land use activities and development to be appropriately located and of a density, scale and intensity that maintains the Waitomo Caves Village's character and amenity; and</i> <i>Encouraging the implementation of the outcomes specified in the key moves of the Waitomo Caves Village Town Concept Plan; and</i> <i>Ensuring new development contributes to the consolidation on activities within the tourism zone boundaries; and</i> <i>Encouraging new and innovative tourism and retail activities, whether these are temporary or permanent; and</i> <i>Enabling activities which provide for the health and well-being of the community and support an identified local need; and</i> <i>Protecting cultural and heritage features; and</i> <i>Requiring all activities to protect and enhance the natural environment, including the special ecological features of karst systems and the natural landscape setting; and</i> <i>Avoiding activities and development that adversely affect the health and well-being of the Upper Waipa River catchment; and</i> <i>Encouraging activities which complement the recreational values of the karst landscape and the Te Araroa trail; and</i> <i>Encouraging activities which support enhanced public access to karst features, lakes and river margins as appropriate; and</i></p>	Support	<p>The Ministry supports this policy as provides for a wide range of tourist facilities through the listed measures. The Ministry specifically supports the enabling of activities which provide for the health and well-being of the community and supports an identified local need (5) as this provides for essential additional infrastructure such as educational facilities.</p>	<p>Retain as proposed.</p>

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
		<p><i>Discouraging vehicle-centred activities such as service stations and takeaway food outlets with a drive through facility unless it can be demonstrated that the location and operation of the activity does not compromise local amenity, road safety or efficiency; and</i></p> <p><i>Ensuring artificial lighting is located, designed and operated to ensure that the natural night sky is preserved as far as practicable in the Waitomo Caves Village tourism zone.</i></p>			
72.	Tourism Zone TOUZ-R6	<p><i>Educational facilities and community facilities, libraries and museums</i></p> <p>Activity status: PER Where:</p> <p>1. <i>All of the performance standards in TOUZ – Table are complied with.</i></p> <p>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</p> <p>Note: Where building work is carried out (for example to join two tiny houses together by a walkway or create a permanent deck) or where kitchen and bathroom plumbing fittings need to be connected to reticulated water or wastewater systems or septic tank systems, the tiny house becomes a building.</p> <p>Activity status where compliance is not achieved with TOUZ-R26 to TOUZ-R36: RDIS</p> <p>Activity status where compliance is not achieved with TOUZ-R37 to TOUZ-R41: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p><i>(a) The matters of discretion associated with any performance standard which cannot be complied with in TOUZ - Table 2.</i></p>	Support	The Ministry supports the permitted activity standard for educational facilities providing compliance with the performance standards. Educational facilities are essential social infrastructure that may need to be located within this zone for the convenience of parents and students.	Retain as proposed.
Multi-zone precincts					
73.	Te Maika Precinct PREC7-O1	<i>Facilitate the management and development of the Te Maika precinct in a way that prioritises the implementation and creation of a low impact, self-sufficient, sustainable community which prioritises the well-being of the natural environment and recognises the area's unique cultural heritage.</i>	Support	The Ministry supports this objective as it prioritises the implementation and creation of a low impact, self-sufficient, sustainable community which includes the provision of educational facilities.	Retain as proposed.
74.	Te Maika Precinct PREC7-P6	<i>Ensure the location, height, colour, number of structures and the type of activities permitted in the precinct are carefully managed to protect the values of this outstanding natural landscape.</i>	Support	The Ministry supports this policy as it ensures the type of activities permitted in the precinct such as educational facilities are carefully managed to protect the values of this outstanding natural landscape.	Retain as proposed.
Designations					
75.	Designations section and Plan Map	N/A	Support	The Ministry supports all designations listed in the Plan's Designation section and shown in the Plan Maps.	Retain as proposed

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
76.	MEDU05 - Mokau School Plan Map		Support in part	<p>The Ministry notes that Waitomo District Council has recently acquired the section legally described as Section 1 SO 546569 for community purposes.</p> <p>The Ministry requests that the WDC16/MEDU05 designation boundary is amended to include this section of land outlined in red as follows.</p>	<p>Amend WDC16/MEDU05 boundary to include the section outlined in red</p> 