





## Attachment 3 – Recommended Consequential Amendments to the Operative District Plan Text

The following pages contain the relevant sections of the Operative District Plan that require consequential amendments as a result of the Right of Reply reports on Plan Changes 85 A – D, 86A & B, 87, 102 and 114.

Consequential amendments are proposed to the following Parts of the Operative District Plan:

- Part B – Introduction
- Part D – Environment Rules
- Part E – Resource Area Rules
- Part F – Subdivisions
- Part I – Appendices

The consequential amendments have been distinguished to indicate which plan change the amendment is a result of – see key below:

	General Amendments
	Rural Countryside Environment (RCE)
	Strategic Rural Industry Environment (SRIE)
	Rural Village Environment (RVE)
	Rural Living Environment (RLE)
	Rural Urban Expansion Environment (RUEE)
	Coastal Area (CA)
	Landscapes (LAN)
	Minerals (MIN)

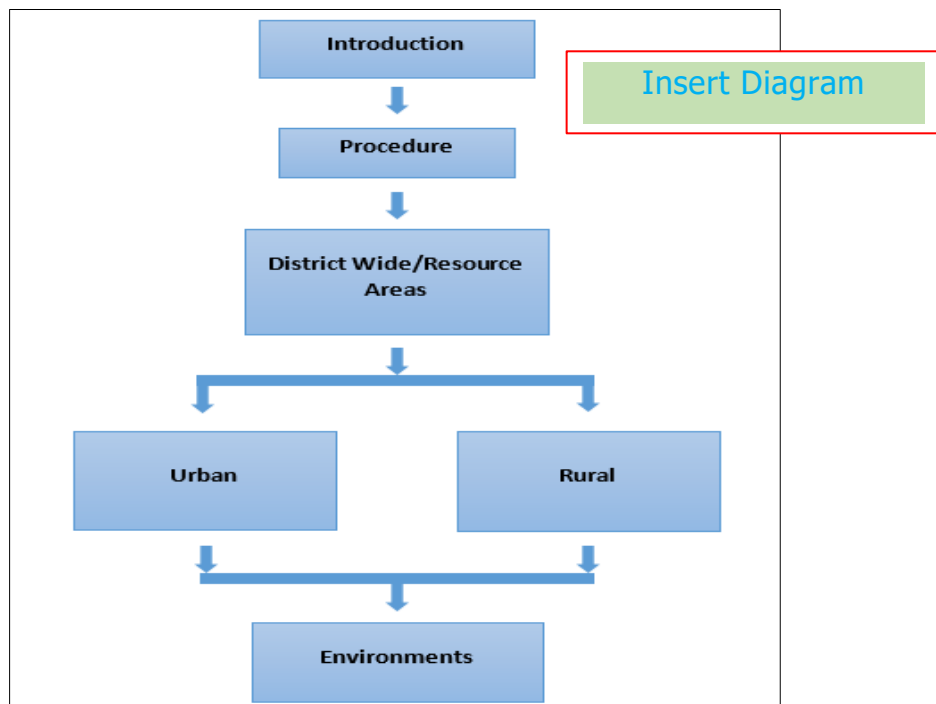
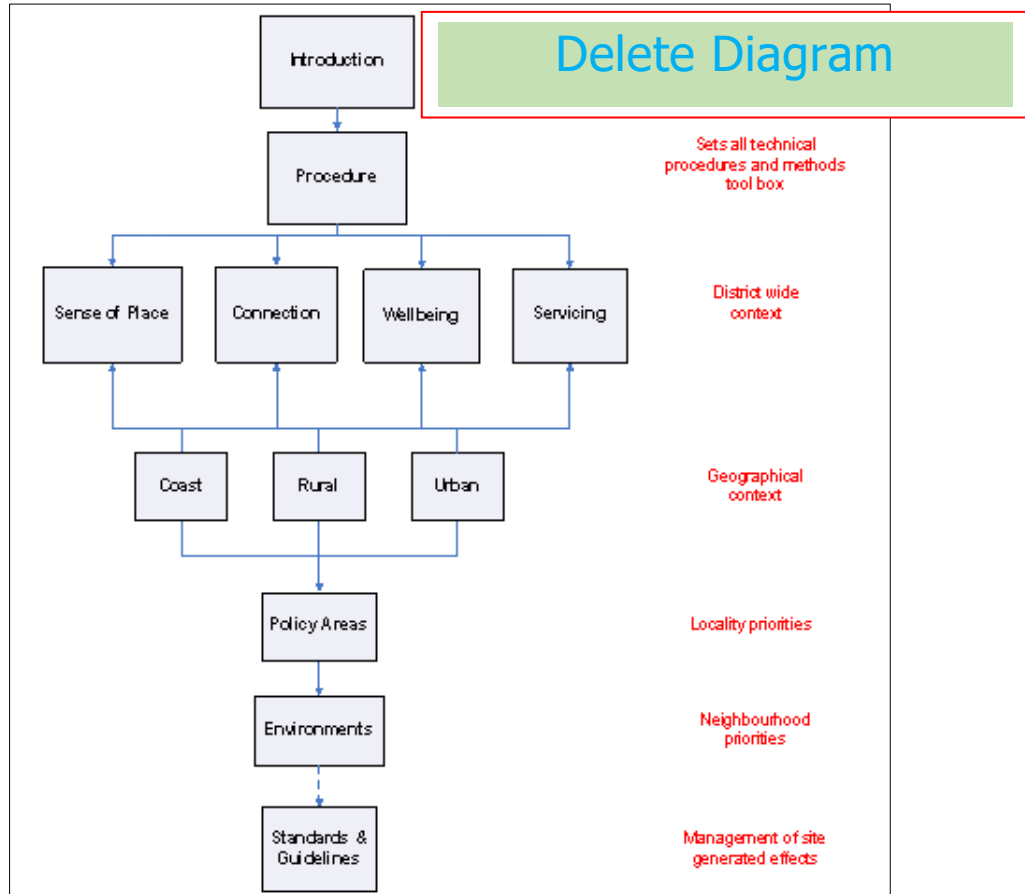
This attachment primarily details those amendments resulting from the Right of Reply recommendations. Refer to **Attachment 3** of **Part 1** of the s42A report for the complete set of previous amendments from the s42A report.

Any amendments as a result of the Right of Reply recommendations have been identified with a **green highlight**. Any previous amendments that are shown as a result of the s42A recommendations have been identified with a **yellow highlight**.

## 2 Introduction to Procedures

### 2.2 New District Plan Structure

To improve the District Plan effects-based approach, a new District Plan structure will provide the ability to top load objectives and policy, setting clear direction for the District:



## 2.3 Presumptions and Interpretation

At any point in time the Council's information bases and justification for its policies may be incomplete. Chapter structure and format may vary from section to section as and when a review takes place. For interpretation purposes (resource consent processing) no one procedure shall take precedence.

Where a rule for a resource area overlay, scheduled overlay, environment, or precinct controls an activity by reference to a proportion or percentage of the site, the control will be limited to that part of the site to which the resource area overlay, scheduled overlay, environment, or precinct applies.

## 4 Meaning of the Words Definitions

### **Commercial Activity**

means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services, and includes shops, markets, showrooms, restaurants, take-away food bars, professional, commercial, and administration offices, service stations, motor vehicle sales, visitor accommodation, the sale of liquor and parking areas associated with any of the above.

Excluding: Farming

### **Equine Related Activities**

Equine related activities means any activities within the Ruakaka Equine Environment that relate to the agistment (resting and grazing), training, housing and racing of horses. These activities include, but are not limited to:

- a) Stabling and care of horses together with incidental buildings.
- b) Equine training and educational facilities.
- c) Accommodation for horse trainers, students and caretakers.
- d) Car parking areas.
- e) Broadcasting.
- f) TAB and related gaming facilities.
- g) Grandstand/viewing areas.
- h) Entertainment (related to race days).
- i) Race meetings.
- j) Racecourse administration with accessory buildings.
- k) Sale and auction of race horses and stock.
- l) Catering activities associated with racing days.
- m) Pony clubs and riding schools.
- n) Activities associated with horse breeding and training, including feed supplies, veterinary services, horse transport, riding schools, saddlery and farriers.

### **Farming**

means any agricultural or horticultural activity having as its primary purpose the commercial production of any livestock or vegetative matter for human or animal consumption. The production of livestock or vegetative matter utilises the in situ production capacity of the soil, water and air as a medium for production.

Farming includes:

- (a) all types of livestock breeding, cropping, grazing, aquaculture
- (b) horticulture, including covered cropping as in greenhouses
- (c) apiaries
- (d) normal rural practices including associated buildings and structures
- (e) crop support structures and artificial crop protection
- (f) airstrips.

But excludes:

- (a) Plantation forestry and intensive livestock farming.
- (b) Equine related activities.

### Overburden Area

means that part of the Mineral Extraction Quarrying Resource Area where mineral extraction activities are limited to the placement of overburden.

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## 35 Introduction to Environment Rules

### 35.1 Introduction

The Environments are defined parts of the District which have different amenity characteristics and possible effects on the environment, due to their past, present and possible future development ~~(for a more full description of each of the Environments and their qualities, refer to Chapter 5 Amenity Values)~~. The Environments in this Plan, which are shown on the Planning Maps, are:

#### Rural Area:

##### **Rural Countryside Production Environment (RCPE)**

~~Rural Countryside Production Environment provides primarily for the productive use and development of rural land and resources as well as the recognition and protection of ecological and landscape values. Residential, commercial and industrial land use and development is expected to be secondary to productive uses, rural production activities.~~

##### **Rural Living Environment (RLE)**

~~Rural Living Environment provides for a variety of rural living opportunities, including small-scale rural land use activities, the on-going lifestyle development of land and rural living activities in locations that have an existing rural living density of lifestyle development.~~

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## 47 Road Transport Rules

### 47.2.12 Living Overlay

	<p>a) The construction of two or more residential units or the any subdivision of two or more allotments on a site within the Living Overlay is considered a restricted discretionary activity.</p> <p><b>Discretion is restricted to:</b></p> <p>i. <i>The extent to which the additional allotments or residential units are appropriately address effects on serviced by the existing transportation network, including through:</i></p> <ul style="list-style-type: none"><li>• <i>The current or future provision of a well-connected street and transport network.</i></li><li>• <i>Facilitation of walking, cycling and public transport.</i></li><li>• <i>Methods to manage significant localised traffic effects.</i></li></ul>
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## 55 Introduction to Resource Area Rules

### 55.1 Introduction

The Resource Area Rules apply to areas of the District which have particular characteristics, values and qualities that require special management to protect these features, and to control activities that would adversely affect them.

~~Chapters 44 to 64 contain rules relating to Resource Areas. These Resource Areas~~ are identified as follows:

- Natural Hazard Areas - Flood Susceptible Areas, Mining Hazard Areas 1, 2 and 3, Coastal Hazards 1 and 2 (Chapter 56).
- ~~Outstanding and Notable Landscape Areas (Chapter 57).~~
- Heritage Buildings, Sites and Objects (Chapter 58).
- Heritage Trees (Chapter 59).
- Sites of Significance to Maori (Chapter 60).
- Esplanade Priority Areas (Chapter 61).
- Airport Noise Boundaries (Chapter 62).
- Contaminated Sites (Chapter 63).
- **Mineral Extraction Quarrying Resource** Area Rules (Chapter 64).
- ~~Outstanding Natural Features including Geological Sites (Chapter 57).~~
- Outstanding Natural Landscapes and Features (LAN Chapter)
- Coastal Area (CA Chapter)

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## 70 Introduction to Subdivision Rules

### 70.1 Introduction

The Subdivision rules apply to all proposals for subdivision in the District. This chapter contains general rules relevant to subdivision in all parts of the District, while Chapters 71 to 76 contain specific subdivision rules for each Environment.

Chapters 36 to 46 contain specific rules relating to each of the Environments, Chapters 56 to 64 contain rules relating to Resource Areas and Chapters 47 and 80 contain rules in relation to Road Transport and Financial Contributions, respectively.

A resource consent is required for every subdivision, either as a controlled, restricted discretionary, discretionary or non-complying activity, as specified in the rule table. Principle reasons for rules are stated after the rule table.



## Appendix 6 - Road Transport

### Appendix 6A Minimum Parking Requirements

Parking spaces shall be provided (except in the areas shown in figures 6A1. and 6A.2) for activities within the site at the following rates:

<p><u>Fonterra Kauri Milk Processing Site</u>  <del>The Kauri Dairy Factory          (if not stated above)</del></p>	<p><u>Nil</u>  <del>0.75 parking spaces per employee engaging in dairy factory related activities on site at any time, provided that during periods of shut downs and maintenance when extra parking is required this does not have to be permanently marked but must be provided.</del></p>	<p><u>Nil</u>  <del>No heavy goods vehicles are to be parked beyond the boundaries of the site. Any heavy goods vehicles integral to the operation of the activity are to be provided with a suitable parking space on site.</del></p>
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