

DECISION REPORT ON PLAN CHANGE 8 TO THE OPERATIVE WAIPA DISTRICT PLAN:

RESIDENTIAL BASED VISITOR ACCOMMODATION

November 2018

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Part 1 - Decision Report

1.1 Introduction

- 1.1.1 This decision report contains Waipa District Council's ('the Council') decision under Clause 10 of the First Schedule of the Resource Management Act 1991 ('the Act') on Plan Change 8 to the Waipa District Plan.
- 1.1.2 Plan Change 8 was publicly notified on 6 February 2018 and seeks to provide for residential based visitor accommodation whilst ensuring that it does not adversely affect other residential properties.
- 1.1.3 The changes proposed as a result of the plan change is illustrated in Appendix 1.

1.2 Plan Change 8 Hearing

- 1.2.1 The hearing for Plan Change 8 was held on 18 June 2018. The Regulatory Committee members that sat on the hearing panel are listed below:
- Councillor Bruce Thomas (Chair)
 - Councillor Liz Stolwyk
 - Poto Davis as a representative from Nga Iwi Toopu O Waipa (NITOW)
- 1.2.2 At the hearing the Committee heard evidence on behalf of Waipa District Council from Benji Patterson (Infometrics) regarding Economics and from the reporting planner Samuel Foster. The following submitters presented evidence at the hearing:
- Shaun O'Dea
 - Fonterra (Ian Johnson and Zarah Willemsen)
- 1.2.3 Evidence was tabled on behalf of the following submitters:
- Diane Sharpe
- 1.2.4 All other submitters indicated they did not wish to attend the hearing.
- 1.2.5 At the end of proceedings, the hearing was adjourned as the committee had identified that they wished to seek further information relating to the submission from Fonterra.

1.3 Directions of the Committee and Reconvened Hearing

- 1.3.1 After hearing evidence presented on behalf of Fonterra, the Regulatory Committee provided directions seeking additional supporting information in relation to their submission. This was to be provided by 25 July 2018.

- 1.3.2 A reconvened hearing was held on 15 October 2018 to hear the additional information provided on behalf of Fonterra. This information was considered by the Regulatory Committee when making their decisions.

1.4 Decisions and reasons

- 1.4.1 The Waipa District Plan provisions within the scope of this hearing are:

- The proposed additions and amendments to the provisions of Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone, Section 4 – Rural Zone and Section 6 – Commercial Zone.

- 1.4.2 Decisions on the plan change including those changes to be made as a result of submissions have been addressed in the appended s32AA report. This evaluation report considers only those changes made in response to submissions to the provisions that were notified. It considers how changes to the provisions are an alternative to those provisions notified, whether they will be efficient and effective in achieving the objectives of the plan and includes a brief cost/benefit analysis. The evaluation report is required to be undertaken at a level of detail that corresponds to the scale and significance of the changes made. It is considered that the changes made to the provisions of the plan that were notified to enable RBVA activities are not significant and represent a refining of those provisions. Accordingly the s32AA report is of sufficient detail to understand the reasoning behind the changes made.

- 1.4.3 The submissions to the proposed plan change was considered in the following order:

- General submissions that relate to the whole Plan Change
- Definitions
- Section 2 – Residential Zone
- Section 3 – Large Lot Residential Zone
- Section 4 – Rural Zone
- Section 6 – Commercial Zone
- Section 21 – Assessment Criteria
- Planning Maps

1.5 General submissions that relate to the whole Plan Change

- 1.5.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision Reference /	Support / Oppose / In Part	Decision Requested	Decision	Council Decision
1/1	Link People	General	Not stated	Submitter is concerned with lack of affordable rentals. There is a need for Airbnb	Accept in part	The evidence prepared by Infometrics shows that short stay accommodation is not currently having an

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Submission / Point	Submitter Name	Provision / Reference	Support / Oppose / In Part	Decision Requested	Decision	Council Decision
				type accommodation to be balanced against long term rentals. No specific decisions requested in relation to the proposed drafting of Plan Change 8 (Residential Based Visitor Accommodation). Other decisions / actions requested: Ability to incentivise long term rentals as well as short term Airbnb options so that trends can be monitored, and, implement an approval process if possible so action can be taken if the balance tips."		adverse effect on the rental market through the district. On-going monitoring should occur to ensure the provisions of the district plan are facilitating the desired outcomes.
2/1	O'Dea, Shaun	General	Support in part	The submitter is concerned with the impact on the unintended consequences on the rental market. Seeks: - Conduct further review of the potential impacts of the proposed change. - Establish mechanisms to control the effects where these are significantly different to the impacts of a residential home being occupied solely by permanent residents. - Include a cap on the number of nights a dwelling can be used for RBVA, although	Accept in part	The evidence prepared by Infometrics shows that short stay accommodation is not currently having an adverse effect on the rental market through the district. On-going monitoring should occur to ensure the provisions of the district plan are facilitating the desired outcomes. Changes are recommended in response to other submissions that address the effects of RBVA.

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Submission / Point	Submitter Name	Provision / Reference	Support / Oppose / In Part	Decision Requested	Decision	Council Decision
				acknowledges that this would be difficult to enforce.		
7/1	Catchpole, David	General	Oppose	The submitter has raised concern that enabling short stay accommodation will adversely affect the residential areas of Waipa and increase pressure on the rental market. Seeks the rejection of the proposed change.	Accept in part	The evidence prepared by Infometrics shows that short stay accommodation is not currently having an adverse effect on the rental market through the district. Changes are recommended to the performance standards to better give effect to the proposed objectives and policies and are included in Appendix B.
10/1	Hanlon, Brian	General	Support	Considers the rules proposed to be fair. Council endorse this plan change.	Accept in part	Changes are recommended in response to other submissions. See Appendix B.
12/1	Hansen, Rex and Iris	General	Not Stated	Submitter has experienced adverse effects from immediate neighbours renting a unit out on Airbnb in a cross-lease environment. No specific relief has been sought.	Reject	There is no relief sought, however changes are recommended to the performance standards to better give effect to the proposed objectives and policies and are included in Appendix B.
FS19/1	Sharpe, Diane	General	Support	12/1 - Compact Housing areas and owner-occupied, cross-lease dwellings be a Discretionary Activity.	Reject	A Discretionary Activity Status is considered to be overly onerous, however Changes are recommended to the performance standards to better give effect to the proposed objectives and policies and are included in Appendix B.
16/1	Hall, Sally	General	Support in part	The submitter is concerned with the effect this type of accommodation will have on long term	Accept in part	The evidence prepared by Infometrics shows that short stay accommodation is not currently having an

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Submission / Point	Submitter Name	Provision / Reference	Support / Oppose / In Part	Decision Requested	Decision	Council Decision
				rentals as she believes that this will affect people who want to live and work in Cambridge. No specific relief sought.		adverse effect on the rental market through the district. On-going monitoring should occur to ensure the provisions of the district plan are facilitating the desired outcomes.
17/4	Turner, Adrian and Patricia	General	Oppose	Seek to exclude Residential Based Visitor Accommodation from cross leased sites due to conflicts with surrounding neighbours on the same property and have raised concerns regarding conflicts with provisions of cross lease documents and the potential for creating conflict due to shared water metres No specific relief sought.	Reject	A Discretionary Activity Status is considered to be overly onerous, however Changes are recommended to the performance standards to better give effect to the proposed objectives and policies and are included in Appendix B. Water meters are managed outside of the district plan.
FS19/2	Diane Sharpe	General	Support	17/4 - Compact Housing areas and owner-occupied, cross-lease dwellings be a discretionary.	Reject	A Discretionary Activity Status is considered to be overly onerous, however Changes are recommended to the performance standards to better give effect to the proposed objectives and policies and are included in Appendix B.

1.6 Definitions

1.6.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
8/1	Bydder, Andrew	Definition of Dwelling	Support	Approve the plan change but amend the definition of	Accept in part	Changes are recommended to improve plan clarity

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				dwelling to exclude reference to kitchens or kitchenettes.		and enable the use of sleep outs for RBVA. See Appendix B.
13/1	Fonterra Limited	Definition of Dwelling	Support	Retain the definition of 'dwelling' as notified.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
13/2	Fonterra Limited	Definition of Home Occupation	Support	Retain the definition of 'home occupation' as notified.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
13/3	Fonterra Limited	Definition of Residential Activity	Support	Retain the definition of 'residential activity' as notified.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
13/4	Fonterra Limited	Definition of Residential Based Visitor Accommodation	Support	Retain the definition of 'residential based visitor accommodation' as notified.	Accept in part	Changes are recommended as a result of other submissions. See Appendix B.
13/5	Fonterra Limited	Definition of Visitor Accommodation	Support	Retain the definition of 'visitor accommodation' as notified.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
15/2	Vosper, Doris	Definition of Bedroom (not a current definition)	Oppose	Bedrooms need to be clearly defined to manage what parts of the house are available for rent. Restrict "bedrooms" to bedrooms within the original floor plan of the house and exclude converted garages, added sleepouts, etc. .	Accept in part	The use of sleep outs for RBVA is considered appropriate, a definition is recommended that excludes vehicles from accessing the bedroom. See Appendix B.
FS19/6	Sharpe, Diane	Definition of Bedroom (not a current definition)	Support in part	15/2 - Have clarification that a bedroom does not include converted garages or sleep outs unless they meet the definition of a dwelling. Performance	Accept in part	The relevant submission is recommended to be accepted in part. It is not considered necessary to also control the number of guests by number of toilets within a

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Standards additional words: (c) No more than 10 people in a dwelling with three or more bedrooms - <u>with two separate ablution areas.</u> (Ablution meaning a toilet & hand basin.)		dwelling within the Residential Zone as the number of guests is restricted by the number of bedrooms.
18/1	Airbnb	Definition of Home Occupation', 'Residential Activity' and 'Visitor Accommodation'	Support	The submitter supports the change to the definitions to ensure clarity, Supports Plan Change as proposed.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
18/2	Airbnb	Definition of Dwelling	Support	Supports the inclusion of self-contained buildings in the definition of dwelling Supports Plan Change as proposed.	Accept	No amendments or deletions are proposed by other submissions that this submission point seeks to retain.
18/3	Airbnb	Definition of Residential Based Visitor Accommodation	Support	Supports the new definition of Residential Based Visitor Accommodation. Retain the definition as proposed.	Accept in part	Changes are recommended as a result of other submissions. See Appendix B.

1.7 Section 2 – Residential Zone

1.7.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
3/1	Hook, Ian	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Supports the plan change, however considers more thought needs to go into the number of guests allowed on site. Amend the new performance standards in the Residential Zone, Large Lot	Accept in part	Standards relating to parking are recommended to be introduced for RBVA. See Appendix B.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Residential Zones and Commercial Zones as follows: - <u>3 people in one bedroom dwelling and no more than one vehicle parked on road.</u> - <u>5 people in two bedroom dwelling and no more than two vehicles parked on road</u> - <u>10 people in a dwelling with 3 or more bedrooms and no more than 3 vehicles parked on road.</u>		
5/1	Harris, Paul	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Supports the plan change however considers further thought needs to be put into the number of people to be hosted and the length of stay. Increase the number of people able to be accommodated from 3 to 4 in a one bedroom dwelling and from 5 to 8 in a two bedroom dwelling. Introduce a time limit of 21 days.	Reject	The submission seeks changes that would reduce the amenity of the Residential Zone.
6/1	Catchpole, Sarah	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Oppose	Submitter considers that 10 occupants in a three- bedroom house is excessive and would cause adverse effects. Do not approve Plan Change 8.	Accept in part	Changes have been recommended to address the number of guests able to be hosted in a three-bedroom dwelling. See Appendix B.
11/1	Sharpe, Diane	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Performance standards should ensure that facilities (ablutions, showers) are sufficient to cater for the number of	Accept in part	The number of bathrooms within a dwelling does not change the effects associated with RBVA in the Residential Zone as the number of

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				people staying in the house. Submitter also has concerns regarding 10 people staying in a three bedroom dwelling and the impacts this will have on parking.		guests is restricted by the number of bedrooms in a dwelling. Changes are recommended to the provisions of the Rural Zone to ensure that where more than 10 people are to be accommodated, there are at least 2 bathrooms available. Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. Standards relating to parking are recommended to be introduced for RBVA.
11/2	Sharpe, Diane	Activity Status Tables 2.4.1	Support in part	In the residential zone in 'compact' and 'infill' housing areas residential based visitor accommodation should be a discretionary or non-complying activity.	Accept in part	Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. Standards relating to parking are recommended to be introduced for RBVA.
13/6	Fonterra Limited	Policy (new) Residential Based Visitor Accommodation	Support in part	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Seeks to amend proposed Policy to read: Residential Based Visitor Accommodation is enabled where it <u>will avoid the potential reverse sensitivity effects on established regionally industrial activity</u>	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless

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				and the scale of the activity is such that it:		<p>of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site</p>

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						and RBVA activities. Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.
13/7	Fonterra Limited	Performance Standards Rule 2.4.2 (new)	Support in part	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Seeks to amend the proposed Rule to read: The use of a dwelling as Residential Based Visitor Accommodation is permitted if: <u>(a) it is no less than 500m from the boundary of the defined Dairy Manufacturing Sites or Wastewater Irrigation farms,</u> and accommodates no more than: (existing criteria retained and renumbered).	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two

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						<p>activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities.</p> <p>Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional</p>

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						buffer for RBVA activities is not considered to be warranted under s32 of the Act.
14/1	O'Shea, John	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support	Supports the proposed change in general however suggests that Council consider limiting temporary living spaces to a set period of no more than 3 weeks.	Accept in part	Temporary living spaces are excluded from being able to be used for RBVA in the Residential Zone for reasons of amenity.
FS19/3	Sharpe, Diane	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new), Rule 6.4.2 (new)	Support in part	14/1 - Change definition to Residential Based Visitor Accommodation '... for the purpose of the definition a short stay if where a booking does not exceed <u>one</u> month'	Reject	The length of time a guest stays in a dwelling has no impact on the amenity of the Residential Zone.
15/1	Vosper, Doris	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based accommodation to operate in Waipa without a consent. They also seek to exclude all cross-lease properties from operating residential based visitor accommodation because of proximity to neighbours.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
FS19/7	Sharpe, Diane	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose in part	15/1 - Performance Standards with minor alterations should be fine for most residential areas to be permitted, but compact housing & cross-lease sections it should be discretionary.	Accept in part	The recommended standards are considered to sufficiently manage the effects of RBVA where it is carried out on smaller sections.
16/2	Hall, Sally	Performance Standards	Support in part	The submitter supports the	Accept in part	Changes are recommended as a

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		Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)		principle of the proposed plan change, particularly there being no temporary living spaces in residential areas i.e. tents, caravans, motor homes etc. There should only be 7 people allowed in a three-bedroom dwelling.		result of other submissions to control the number of guests able to be hosted in a three-bed dwelling.
17/1	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	The submitter opposes residential based visitor accommodation on cross-leased sections. On a cross leased site the activity must at the very least be a Discretionary Activity requiring a resource consent and include a rule to state that Section 21 - Assessment Criteria be implemented to assess the effects of the activity on a cross leased site.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	Irrespective of the site for the activity applicants should be required to get permission from neighbours before commencement or application for the activity. Inspection of properties by Council staff could be carried out.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new), Rule 4.4.2 (new) and	Oppose	The submitter seeks a review process where the rules to state that if the effects of the activity impact negatively on the	Reject	The relief sought would result in unclear and inefficient plan provisions.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
		Rule 6.4.2 (new)		environment after commencement the activity will become a Discretionary Activity.		
18/4	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Support	Supports the changes to rules in Residential, Large Lot Residential, Rural and Commercial Zones to provide for Residential Based Visitor Accommodation as a permitted activity (subject to the changes requested to the performance standards).	Accept in part	Aspects of the submission related to activity status are recommended to be accepted. Changes to performance standards are addressed in relation to those submission points.
18/5	Airbnb	Policy (new) Residential Based Visitor Accommodation	Oppose	Delete reference in new policies to maintaining residential character, provision of parking and other adverse effects as these are all controlled by other rules in the plan.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the residential zone.
18/6	Airbnb	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Oppose	Delete all proposed performance standards in Residential, Large Lot Residential and Commercial Zones as these are considered to be the same as residential activity.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the residential zone.
18/7	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	In the event that the relief sought is not granted, the activity status for Residential Based Visitor Accommodation not complying with the performance standards should be controlled in the Residential and	Reject	The relief sought is inconsistent with the general approach of the district plan.

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				Large Lot Zones and in the Commercial and Rural Zones should remain permitted.		
FS19/4	Sharpe, Diane	Activity Status Tables, 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	18/7 - Keep the clause that 'activities that fail this rule will require a resource consent for a Discretionary Activity'	Accept	The relevant submission has been recommended to be rejected.

1.8 Section 3 - Large Lot Residential Zone

1.8.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
3/1	Hook, Ian	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Supports the plan change, however considers more thought needs to go into the number of guests allowed on site. Amend the new performance standards in the Residential Zone, Large Lot Residential Zones and Commercial Zones as follows: - <u>3 people in one bedroom dwelling and no more than one vehicle parked on road.</u> - <u>5 people in two bedroom dwelling and no more than two vehicles parked on road</u> - <u>10 people in a dwelling with 3 or more bedrooms and no more than 3 vehicles parked on road.</u>	Accept in part	Standards relating to parking are recommended to be introduced for RBVA. See Appendix B.
5/1	Harris, Paul	Performance Standards	Support in part	Supports the plan change however	Reject	The submissions seeks changes that would

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		Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)		considers further thought needs to be put into the number of people to be hosted and the length of stay. Increase the number of people able to be accommodated from 3 to 4 in a one bedroom dwelling and from 5 to 8 in a two bedroom dwelling. Introduce a time limit of 21 days.		reduce the amenity of the Large Lot Residential Zone.
6/1	Catchpole , Sarah	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Oppose	Submitter considers that 10 occupants in a three bedroom house is excessive and would cause adverse effects. Do not approve Plan Change 8.	Accept in part	Changes have been recommended to address the number of guests able to be hosted in a three bedroom dwelling. See Appendix B.
11/1	Sharpe, Diane	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Performance standards should ensure that facilities (ablutions, showers) are sufficient to cater for the number of people staying in the house. Submitter also has concerns regarding 10 people staying in a three bedroom dwelling and the impacts this will have on parking.	Accept in part	The number of bathrooms within a dwelling does not change the effects associated with RBVA in the Large Lot Residential Zone as the number of guests is restricted by the number of bedrooms. Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. Standards relating to parking are recommended to be introduced for RBVA.
13/8	Fonterra Limited	Policy (new) Residential Based Visitor Accommodation	Support in part	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Amend proposed Policy to read:	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Residential Based Visitor Accommodation is enabled where <u>it will avoid the potential reverse sensitivity effects on established regionally industrial activity and the scale of the activity is such that it: ...</u>		<p>permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra</p>

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities. Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.
13/9	Fonterra Limited	Performance Standards Rule 3.4.2 (new)	Support in part	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Amend the proposed Rule to read: The use of a dwelling as Residential Based Visitor Accommodation is permitted if: <u>(a) it is no less than 500m from the boundary of the defined Dairy Manufacturing Sites or Wastewater Irrigation farms; and</u> accommodates no more than: (existing criteria	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				retained and renumbered).		<p>the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities. Taking into account the ability to host guests via sites like</p>

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.
14/1	O'Shea, John	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support	Supports the proposed change in general however suggests that Council consider limiting temporary living spaces to a set period of no more than 3 weeks.	Accept in part	Temporary living spaces are excluded from being able to be used for RBVA for reasons of amenity.
FS19/3	Diane Sharpe	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) , Rule 6.4.2 (new)	Support in part	14/1 - Change definition to Residential Based Visitor Accommodation '... for the purpose of the definition a short stay if where a booking does not exceed one month'	Reject	The length of time a guest stays in a dwelling has no impact on the amenity of the Large Lot Residential Zone.
15/1	Vosper, Doris	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based accommodation to operate in Waipa without a consent. They also seek to exclude all cross lease properties from operating residential based visitor accommodation because of proximity to neighbours.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
FS19/7	Diane Sharpe	Activity Status Tables 2.4.1, 3.4.1 ,	Oppose in part	15/1 - Performance Standards with minor alterations	Accept in part	The recommended standards are considered to

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
		4.4.1 and 6.4.1		should be fine for most residential areas to be permitted, but compact housing & cross-lease sections it should be discretionary.		sufficiently manage the effects of RBVA where it is carried out on smaller sections.
16/2	Hall, Sally	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	The submitter supports the principle of the proposed plan change, particularly there being no temporary living spaces in residential areas ie tents, caravans, motor homes etc. There should only be 7 people allowed in a three-bedroom dwelling.	Accept in part	Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. See Appendix B.
17/1	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based visitor accommodation on cross-leased sections. On a cross leased site the activity must at the very least be a Discretionary Activity requiring a resource consent and include a rule to state that Section 21 - Assessment Criteria be implemented to assess the effects of the activity on a cross leased site.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Oppose	Irrespective of the site for the activity applicants should be required to get permission from neighbours before commencement or application for the activity. Inspection of properties by Council staff could	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				be carried out.		
17/2	Turner, Adrian and Patricia	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) , Rule 4.4.2 (new) and Rule 6.4.2 (new)	Oppose	The submitter seeks a review process where the rules to state that if the effects of the activity impact negatively on the environment after commencement the activity will become a Discretionary Activity.	Reject	The relief sought would result in unclear and inefficient plan provisions.
18/4	Airbnb	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Support	Supports the changes to rules in Residential, Large Lot Residential, Rural and Commercial Zones to provide for Residential Based Visitor Accommodation as a permitted activity (subject to the changes requested to the performance standards).	Accept in part	Aspects of the submission related to activity status are recommended to be accepted. Changes sought to performance standards are addressed in relation to those submission points.
18/5	Airbnb	Policy (new) Residential Based Visitor Accommodation	Oppose	Delete reference in new policies to maintaining residential character, provision of parking and other adverse effects as these are all controlled by other rules in the plan.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the Large Lot Residential Zone.
18/6	Airbnb	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Oppose	Delete all proposed performance standards in Residential, Large Lot Residential and Commercial Zones as these are considered to be the same as residential activity.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the Large Lot Residential Zone.
18/7	Airbnb	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Oppose	In the event that the relief sought is not granted, the activity status for Residential Based	Reject	The relief sought is inconsistent with the general approach of the district plan.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Visitor Accommodation not complying with the performance standards should be controlled in the Residential and Large Lot Zones and in the Commercial and Rural Zones should remain permitted.		
FS19/4	Diane Sharpe	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1	Oppose	18/7 - Keep the clause that 'activities that fail this rule will require a resource consent for a Discretionary Activity'	Accept	The relevant submission has been recommended to be rejected.

1.9 Section 4 – Rural Zone

1.9.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
4/1	Signal, Jayne	Performance Standards Rule 4.4.2 (new)	Support in part	Submitter agrees that short term rentals should be easy to access, however council should ensure that the Rural zone also has limitations on overnight visitors to align with the other zones (residential, large lot residential and commercial).	Accept in part	Restrictions on the number of guests able to be hosted in RBVA in the Rural Zone, are recommended including controls relating to the number of bathrooms available for large groups of guests. These will enable rural properties to host more guests, but ensure that there are sufficient facilities to host them without adversely affecting the surrounding amenity.
9/1	Rogerson, Jenny	Performance Standards Rule 4.4.2 (new)	Oppose	Rural areas should have the same restrictions as the residential areas, unless by specific individual permit application.	Accept in part	Restrictions on the number of guests able to be hosted in RBVA are recommended in the Rural Zone, however these are less restrictive than those recommended in the

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
13/10	Fonterra Limited	Policy (new) Residential Based Visitor Accommodation	Support in part	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Amend proposed Policy to read: Residential Based Visitor Accommodation is enabled where <u>it will avoid the potential reverse sensitivity effects on established regionally significant industrial activity and the scale of the activity is such that it:</u>	Reject	Residential Zone. The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback. Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						<p>and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities. Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.</p>
13/11	Fonterra Limited	Performance Standards Rule 4.4.2 (new)	Oppose	Submitter raises concerns in relation to the possible reverse sensitivity effects on their sites. Amend the Plan Change to include the following performance standard within the Rural Zone: <u>The use of a dwelling as</u>	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				<u>Residential Based Visitor Accommodation is permitted if it is no less than 500m from the boundary of the defined Dairy Manufacturing Sites or Wastewater Irrigation farms. Activities which fail to comply with this rule will require a resource consent for a Discretionary Activity.</u>		<p>changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m,</p>

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities. Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.
15/1	Vosper, Doris	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based accommodation being able to operate in Waipa without a consent. They also seek to exclude all cross lease properties from operating residential based visitor accommodation because of proximity to neighbours.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
FS19/7	Sharpe, Diane	Activity Status Tables 2.4.1, 3.4.1 , 4.4.1 and 6.4.1	Oppose in part	15/1 - Performance Standards with minor alterations should be fine for most residential areas to be permitted, but compact housing & cross-lease sections it should be discretionary.	Accept in part	The recommended standards are considered to sufficiently manage the effects of RBVA where it is carried out on in the Rural Zone.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
16/3	Hall, Sally	Performance Standards Rule 4.4.2	Support in part	Restrict numbers staying in rural properties.	Accept	Restrictions on the number of guests able to be hosted in RBVA are recommended in the Rural Zone, however these are less restrictive than those recommended in the Residential Zone.
17/1	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	On a cross leased site the activity must at the very least be a Discretionary Activity requiring a resource consent and include a rule to state that Section 21 - Assessment Criteria be implemented to assess the effects of the activity on a cross leased site.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	Irrespective of the site for the activity applicants should be required to get permission from neighbours before commencement or application for the activity. Inspection of properties by Council staff could be carried out.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new), Rule 4.4.2 (new) and Rule 6.4.2 (new)	Oppose	Provisions in the rules to state that if the effects of the activity impact negatively on the environment after commencement the activity will become a Discretionary Activity.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
18/4	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Support	Supports the changes to rules in Residential, Large Lot Residential, Rural and Commercial Zones to provide for	Accept in part	Aspects of the submission related to activity status are recommended to be accepted. Changes sought to performance

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Residential Based Visitor Accommodation as a permitted activity (subject to the changes requested to the performance standards).		standards are addressed in relation to those submission points.
18/5	Airbnb	Policy (new) Residential Based Visitor Accommodation	Oppose	Delete reference in new policies to maintaining residential character, provision of parking and other adverse effects as these are all controlled by other rules in the plan.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the Rural Zone.
18/7	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	In the event that the relief sought is not granted, the activity status for Residential Based Visitor Accommodation not complying with the performance standards should be controlled in the Residential and Large Lot Zones and in the Commercial and Rural Zones should remain permitted.	Reject	The relief sought is inconsistent with the general approach of the District Plan.
FS19/4	Sharpe, Diane	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	18/7 - Keep the clause that 'activities that fail this rule will require a resource consent for a Discretionary Activity'	Accept	The relevant submission point is recommended to be rejected.

1.10 Section 6 – Commercial Zone

1.10.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
3/1	Hook, Ian	Performance Standards	Support in part	Supports the plan change, however	Accept in part	Standards relating to parking are

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
		Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)		considers more thought needs to go into the number of guests allowed on site. Amend the new performance standards in the Residential Zone, Large Lot Residential Zones and Commercial Zones as follows: - <u>3 people in one bedroom dwelling and no more than one vehicle parked on road.</u> - <u>5 people in two bedroom dwelling and no more than two vehicles parked on road</u> - <u>10 people in a dwelling with 3 or more bedrooms and no more than 3 vehicles parked on road.</u>		recommended to be introduced for RBVA. See Appendix B.
5/1	Harris, Paul	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Supports the plan change however considers further thought needs to be put into the number of people to be hosted and the length of stay. Increase the number of people able to be accommodated from 3 to 4 in a one bedroom dwelling and from 5 to 8 in a two bedroom dwelling. Introduce a time limit of 21 days.	Reject	The submissions seeks changes that would reduce the amenity of the Commercial Zone.
6/1	Catchpole, Sarah	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Oppose	Submitter considers that 10 occupants in a three bedroom house is excessive and would cause adverse effects. Do not approve Plan	Accept in part	Changes have been recommended to address the number of guests able to be hosted in a three bedroom dwelling. See Appendix B.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				Change 8.		
11/1	Sharpe, Diane	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	Performance standards should ensure that facilities (ablutions, showers) are sufficient to cater for the number of people staying in the house. Submitter also has concerns regarding 10 people staying in a three bedroom dwelling and the impacts this will have on parking.	Accept in part	The number of bathrooms within a dwelling does not change the effects associated with RBVA in the Commercial Zone as the number of guests is restricted by the number of bedrooms. Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. Standards relating to parking are recommended to be introduced for RBVA.
14/1	O'Shea, John	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support	Supports the proposed change in general however suggests that Council consider limiting temporary living spaces to a set period of no more than 3 weeks.	Accept in part	Temporary living spaces are excluded from being able to be used for RBVA for reasons of amenity.
FS19/3	Diane Sharpe	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new), Rule 6.4.2 (new)	Support in part	14/1 - Change definition to Residential Based Visitor Accommodation '... for the purpose of the definition a short stay if where a booking does not exceed <u>one</u> month'	Reject	The length of time a guest stays in a dwelling has no impact on the amenity of the Commercial Zone.
15/1	Vosper, Doris	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based accommodation to operate in Waipa without a consent. They also seek to exclude all cross lease properties from operating residential based visitor accommodation	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				because of proximity to neighbours.		
FS19/7	Diane Sharpe	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose in part	15/1 - Performance Standards with minor alterations should be fine for most residential areas to be permitted, but compact housing & cross-lease sections it should be discretionary.	Accept in part	The recommended standards are considered to sufficiently manage the effects of RBVA where it is carried out on smaller sections.
16/2	Hall, Sally	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new) and Rule 6.4.2 (new)	Support in part	The submitter supports the principle of the proposed plan change, particularly there being no temporary living spaces in residential areas i.e. tents, caravans, motor homes etc. There should only be 7 people allowed in a three bedroom dwelling.	Accept in part	Changes are recommended as a result of other submissions to control the number of guests able to be hosted in a three-bed dwelling. See Appendix B.
17/1	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	The submitter opposes residential based visitor accommodation on cross-leased sections. On a cross leased site the activity must at the very least be a Discretionary Activity requiring a resource consent and include a rule to state that Section 21 - Assessment Criteria be implemented to assess the effects of the activity on a cross leased site.	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management of RBVA.
17/2	Turner, Adrian and Patricia	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	Irrespective of the site for the activity applicants should be required to get permission from	Reject	The relief sought is considered to be overly onerous and will not achieve the efficient management

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
				neighbours before commencement or application for the activity. Inspection of properties by Council staff could be carried out.		of RBVA.
17/2	Turner, Adrian and Patricia	Performance Standards Rule 2.4.2 (new), Rule 3.4.2 (new), Rule 4.4.2 (new) and Rule 6.4.2 (new)	Oppose	The submitter seeks a review process where the rules to state that if the effects of the activity impact negatively on the environment after commencement the activity will become a Discretionary Activity.	Reject	The relief sought would result in unclear and inefficient plan provisions.
18/4	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Support	Supports the changes to rules in Residential, Large Lot Residential, Rural and Commercial Zones to provide for Residential Based Visitor Accommodation as a permitted activity (subject to the changes requested to the performance standards).	Accept in part	Aspects of the submission related to activity status are recommended to be accepted. Changes sought to performance standards are addressed in relation to those submission points.
18/7	Airbnb	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1.	Oppose	Delete all proposed performance standards in Residential, Large Lot Residential and Commercial Zones as these are considered to be the same as residential activity.	Reject	The relief sought is not considered the most appropriate way to achieve the objectives of the Commercial Zone.
FS19/4	Sharpe, Diane	Activity Status Tables 2.4.1, 3.4.1, 4.4.1 and 6.4.1	Oppose	18/7 - Keep the clause that 'activities that fail this rule will require a resource consent for a Discretionary Activity'	Accept	The relevant submission has been recommended to be rejected.

1.11 Section 21 – Assessment Criteria

1.11.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision Reference /	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
13/12	Fonterra Limited	Assessment Criteria (new)	Support in part	The submitter has raised concerns with the effects of reverse sensitivity in relation to their manufacturing sites. Amend to include the following additional assessment criteria: <u>Whether the design, orientation and construction standard of a building and the layout, landscaping and screening of external space will be effective in managing the potential for reverse sensitivity effects to arise in respect of the Hautapu and Te Awamutu Dairy Manufacturing Sites and identified Wastewater Irrigation farms.</u>	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback. Fonterra holds a number of discharge consents that require the setback of

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						<p>discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities. Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.</p>
18/8	Airbnb	Assessment Criteria (new)	Oppose	In the event that the relief sought is not granted, all proposed assessment criteria for Residential Based Visitor Accommodation should be deleted.	Reject	The relief sought is inconsistent with the general approach of the district plan.

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
FS19/5	Sharpe, Diane	Assessment Criteria (new)	Oppose	18/8 - Keep the Assessment Criteria for a Discretionary Activity. And have an additional clause in the Section 21 Assessment (e) Owner-occupied cross-lease dwellings to get permission from the other cross-lease owners.	Accept in part	The relevant submission is recommended to be rejected.

1.12 Planning Maps

1.12.1 The submission points that are relevant to this topic are as follows:

Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
13/13	Fonterra Limited	Planning Maps 4, 21, 22, 23, 24 and 25	Support in part	The submitter has raised concerns with the effects of reverse sensitivity in relation to their manufacturing sites. Amend Planning Maps 4,21,22,23,24 and 25 to identify the extent of the Wastewater Irrigation Farms as indicated on the plan attached as Attachment B to the submitters full submission.	Reject	The definition of Residential Activity allows for the hosting of paying guests within residential dwellings and accessory buildings where there is at least one permanent resident living on the site as a permitted activity in the residential, large lot residential and rural zones. The changes to the plan proposed by PC8 seek to enable dwellings to be able to be used to host guests regardless of whether there is a permanent resident associated with the site or not. Restricting the ability to accommodate guests where a host is not located on site, whilst enabling the same activity to occur where there is a host creates an inconsistency in the

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						<p>plan, particularly when the reason for distinguishing the two activities relates to the chances of leaving negative feedback on a public website. It is not considered that the presence of a host permanently residing on site will make any difference to the likelihood of negative feedback.</p> <p>Fonterra holds a number of discharge consents that require the setback of discharge activities from the boundaries of their Wastewater Irrigation Farm sites and nearby residences. They are also required to ensure that there are no adverse effects related to the discharge at or beyond the boundary of the site. The changes sought by Fonterra would effectively increase the setbacks embedded in the region wide discharge consent by an additional 500m, creating distance between 650m and 1000m from the discharge activities taking place on site and RBVA activities.</p> <p>Taking into account the ability to host guests via sites like Airbnb which is already enabled by the District Plan definition of 'Residential Activity' and considering the internal setback requirements of the multiple discharge</p>

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Submission / Point	Submitter Name	Provision / Reference	Support/ Oppose/ In part	Decision requested	Decision	Council Decision
						permits held by Fonterra, the need to include an additional buffer for RBVA activities is not considered to be warranted under s32 of the Act.

Part 2 - Appendices

2.1 Amendments to be made to the Waipa District Plan

Note:

- Text from the Operative Waipā District Plan is included in the same colour and text as the notified version.
- New text by way of Plan Change is in black and underlined, any deleted text is in ~~black and strikethrough~~.
- Text added, deleted or amended to give effect to the decisions on the submissions is in blue and underlined [submission number] and text deleted in response to submissions is in blue and strike through e.g. ~~this text is recommended for deletion~~.

Definitions

‘Dwelling’ means any SELF CONTAINED BUILDING¹, whether permanent or temporary, that is occupied or designed to be occupied, in whole or in part, by a single household for the purposes of a RESIDENTIAL ACTIVITY and in each case contains one KITCHEN, and may include a KITCHENETTE. DWELLING includes any PRINCIPAL DWELLING, SECONDARY DWELLING and FARM WORKER DWELLING.

‘Home occupation’ means an occupation or craft or profession and the provision of accommodation in association with that occupation, craft or profession, where it is ANCILLARY to the RESIDENTIAL ACTIVITY on the SITE and where the principal operator of the HOME OCCUPATION is a permanent resident on the SITE.

It does not include panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing activities involving HEAVY VEHICLES, sheet metal work, wrought iron work, activities involved scrap metal or DEMOLITION materials or hazardous waste substances, activities involving fish or meat, BOARDING AND/OR BREEDING KENNELS or CATTERIES, or funeral parlours or RESIDENTIAL BASED VISITOR ACCOMMODATION.

‘Residential activity’ means the use of land and DWELLINGS and ACCESSORY BUILDINGS by people who form a single household for the purpose of permanent living accommodation where the majority of occupiers intend to live at the SITE for a period of one month or more of continuous occupation per annum, and

¹ **‘Self contained’** means a BUILDING or DWELLING that contains a KITCHEN and/or KITCHENETTE, a bathroom, a living area, and/or a bedroom; and is separated from any other SELF CONTAINED area by being in another BUILDING, or where within the same BUILDING, by a door, a wall or a garage.

will generally refer to the SITE as their home and permanent address; and activities that are ANCILLARY to the residential use of the SITE. For the avoidance of doubt, it includes the use of land and BUILDINGS for:

- ~~In the Residential Zone Large Lot Residential Zone, the provision of accommodation at a tariff to a maximum of four visitors where at least one permanent resident lives on the SITE; and:~~
- ~~In the Rural Zone, the provision of accommodation at a tariff to a maximum of ten travellers where at least one permanent resident lives on the SITE; and~~
- In the Rural Zone, RECREATIONAL HUNTING (including non residents of the SITE(S)); and
- In all zones, emergency and refuge accommodation; and
- In all zones, the use of land and/or BUILDINGS for supervised living accommodation and any associated caregivers.

But excludes PRISONS.

**'Residential Based
Visitor
Accommodation'**

means the use of a DWELLING and directly associated SLEEP OUT [8/1] for short stay residential visitor accommodation for a tariff when there may or may not be permanent residents staying overnight on the SITE. For the purposes of this definition short stay is where a booking does not exceed 3 months.

'Sleep out'

means an ACCESSORY BUILDING or part of an ACCESSORY BUILDING that has been fitted out for the purposes of being a bedroom. It may include a bathroom and a KITCHENETTE, but shall not contain a KITCHEN or vehicle access into the bedroom. [8/1]

'Visitor accommodation'

means any land or BUILDINGS used as a residence on a temporary basis (for periods of up to three months occupation during any 12-month period) and includes motels, boarding-houses, hostels, hotels, holiday or tourist flats, ~~all rented residential accommodation which is offered for a daily tariff~~ and ANCILLARY reception areas and activities on the SITE. Provided that VISITOR ACCOMMODATION does not include activities defined in this Plan as RESIDENTIAL ACTIVITIES or RESIDENTIAL BASED VISITOR ACCOMMODATION or RESIDENTIAL BASED VISITOR ACCOMMODATION or a HOME OCCUPATION (unless the number of overnight visitors exceeds the relevant zone criteria); and does not include camping or caravan SITES.

Section 2 - Residential Zone

Objective – Neighbourhood amenity and safety

Policy - Residential Based Visitor Accommodation

(new) Residential Based Visitor Accommodation is enabled where the scale of the activity is such that it:

- (a) Maintains local residential character, including the scale and design of buildings and their location on the site; and
- (b) Provides for on-site parking and vehicle manoeuvring areas; and
- (c) Mitigates adverse effects related to traffic generation, access and noise to the extent that they do not result in adverse effects on residential character and amenity or on the surrounding transport network.

2.4.1 Activity Status Tables

2.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(p)	Earthworks within.....
<u>(new)</u>	<u>Residential Based Visitor Accommodation</u>

2.4.2 Performance Standards

Rule - Residential Based Visitor Accommodation

(new) The use of a dwelling as Residential Based Visitor Accommodation is permitted if it accommodates no more than:

- (a) Three people in a one bedroom dwelling; or
- (b) Five people in a two bedroom dwelling; or
- (c) Seven people in a three bedroom dwelling; or [6/1 and 16/2]
- (d) No more than 10 people in a dwelling with ~~three~~ four or more bedrooms. [6/1 and 16/2]

Where a Sleep Out is used it will be considered as one bedroom. [8/1]

Where there are permanent residents staying on site they will be included in the maximum number of people able to be accommodated overnight in the dwelling.

No paying overnight visitors are to be accommodated in temporary living spaces, such as tents, caravans, motor vans or campervans.

Activities which fail to comply with this rule will require a resource consent for a discretionary activity.

Section 3 - Large Lot Residential Zone

Objective – Large Lot Residential Zone Character

Policy - Residential Based Visitor Accommodation

(new) Residential Based Visitor Accommodation is enabled where the scale of the activity is such that it:

- (a) Maintains local residential character, including the scale and design of buildings and their location on the site; and
- (b) Provides for on-site parking and vehicle manoeuvring areas; and
- (c) Mitigates adverse effects related to traffic generation, access and noise to the extent that they do not result in adverse effects on residential character and amenity or on the surrounding transport network.

3.4.1 Activity Status Tables

3.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(n)	Pasture.....
(new)	<u>Residential Based Visitor Accommodation</u>

3.4.2 Performance Standards

Rule - Residential Based Visitor Accommodation

3.4.2.33 The use of a dwelling as Residential Based Visitor Accommodation is permitted if it accommodates no more than:

- (a) Three people in a one bedroom dwelling, or
- (b) Five people in a two bedroom dwelling, or
- (c) Seven people in a three bedroom dwelling, or [6/1 and 16/2]
- (d) No more than 10 people in a dwelling with ~~three~~ four or more bedrooms. [6/1 and 16/2]

Where a Sleep Out is used it will be considered as one bedroom. [8/1]

Where there are permanent residents staying on site they will be included in the maximum number of people able to be accommodated overnight in the dwelling.

No paying overnight visitors are to be accommodated in temporary living spaces, such as tents, caravans, motor vans or campervans.

Activities which fail to comply with this rule will require a resource consent for a Discretionary Activity.

Section 4 - Rural Zone

Policy - Residential Based Visitor Accommodation

(new) Residential Based Visitor Accommodation is enabled where the scale of the activity is such that it:

- (a) Maintains rural character, including in the scale and design of buildings and their location on the site; and
- (b) Provides for on-site parking and vehicle manoeuvring areas; and
- (c) Mitigates adverse effects related to traffic generation, access and noise to the extent that they do not result in adverse effects on rural character and amenity or on the surrounding transport network, and
- (d) Internalises adverse effects and should not cause adverse effects that would result in farming activities being prevented or constrained from operating.

4.4.1 Activity Status Tables

4.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(x)	Pasture.....
(new)	<u>Residential Based Visitor Accommodation</u>

4.4.2 Performance Standards

Rules – Residential Based Visitor Accommodation

(new) Residential Based Visitor Accommodation is permitted if it accommodates no more than 15 people.

Where there are permanent residents staying on a site they will be included in the maximum number of people able to be accommodated overnight.

(new) There shall be no more than two temporary living spaces such as tents, caravans, motor vans or campervans used at any time for Residential Based Visitor Accommodation.

(new) Residential Based Visitor Accommodation is permitted if the dwelling contains:

- (a) One bathroom for up to 10 guests.
- (b) Two bathrooms for 10 – 15 guests.

Activities which fail to comply with this rule will require a resource consent for a Discretionary Activity. [16/3, 9/1 and 4/1]

Section 6 - Commercial Zone

Policies - Residential activities and Residential Based Visitor Accommodation

- 6.3.2.4 To enable residential activities and Residential Based Visitor Accommodation within Commercial Zones provided they are not located at ground level (except for the Cook Street/Shakespeare Street area).

Policy - Commercial Zone: Cook Street/Shakespeare Street

- 6.3.2.5 In that part of the Commercial Zone in Cook Street/Shakespeare Street that directly adjoins reserves along the Waikato River, residential activities and Residential Based Visitor Accommodation at ground level are enabled where the residential activity or Residential Based Visitor Accommodation faces and relates to the Waikato River, meets the principles of CPTED, and where practicable provides public access to the Waikato River.

6.4.1 Activity Status Tables

6.4.1.1	Permitted activities The following activities must comply with the performance standards of this zone			
		Within the Pedestrian Frontage Area	Outside the Pedestrian Frontage Area	Commercial Zone Shakespeare Street/ Cook Street / Wordsworth Street
(y)	Supermarkets	P	P	Refer Rule 6.4.1.4(e)
(new)	<u>Residential Based Visitor Accommodation situated above ground level</u>	<u>P</u>	<u>P</u>	<u>P</u>
(new)	<u>Residential Based Visitor Accommodation situated at ground level in that part of the Commercial Zone in Cook Street/Shakespeare Street that directly adjoins reserves along the Waikato River</u>	<u>NA</u>	<u>NA</u>	<u>P</u>

6.4.2 Performance Standards

Rule - Residential Based Visitor Accommodation

- (new) The use of a dwelling as a Residential Based Visitor Accommodation is permitted if it accommodates no more than:

- (a) Three people in a one bedroom dwelling, or
- (b) Five people in a two bedroom dwelling, or
- (c) Seven people in a three bedroom dwelling, or [6/1 and 16/2]

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- (d) No more than 10 people in a dwelling with ~~three~~ four or more bedrooms.
[6/1 and 16/2]

Where a Sleep Out is used it will be considered as one bedroom. *[8/1]*

Where there are permanent residents staying on site they will be included in the maximum number of people able to be accommodated overnight in the dwelling.

No paying overnight visitors are to be accommodated in temporary living spaces, such as tents, caravans, motor vans or campervans.

Residential Based Visitor Accommodation at ground level in that part of the Commercial Zone in Cook Street/Shakespeare Street that directly adjoins reserves along the Waikato River must face and relate to the Waikato River, meet the principles of CPTED, and where practicable provide public access to the Waikato River.

Activities which fail to comply with this rule will require a resource consent for a discretionary activity.

Section 21 – Assessment Criteria and Information Requirements

21.1.2 Residential Zone

	<u>Residential Zone Assessment Criteria</u>	
<u>(new)</u>	<u>Residential Based Visitor Accommodation</u>	<ul style="list-style-type: none">(a) <u>Whether the site contains an adequate area of land which will enable the effects of the activity to be contained on the site</u>(b) <u>Any potential for adverse effects on adjoining or adjacent properties and the effectiveness of any mitigation measures proposed</u>(c) <u>Any adverse effects resulting from increased traffic generation</u>(d) <u>Whether the activity is in keeping with the character of the surrounding area</u>

21.1.3 Large Lot Residential Zone

	<u>Large Lot Residential Zone Assessment Criteria</u>	
<u>(new)</u>	<u>Residential Based Visitor Accommodation</u>	<ul style="list-style-type: none">(a) <u>Whether the site contains an adequate area of land which will enable the effects of the activity to be contained on the site</u>(b) <u>Any potential for adverse effects on adjoining or adjacent properties and the effectiveness of any mitigation measures proposed</u>(c) <u>Any adverse effects resulting from increased traffic generation</u>(d) <u>Whether the activity is in keeping with the character of the surrounding area</u>

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21.1.4 Rural Zone

	Rural Zone Assessment Criteria	
(new)	<u>Residential Based Visitor Accommodation</u>	<p>(a) <u>Whether the site contains an adequate area of land which will enable the effects of the activity to be contained on the site</u></p> <p>(b) <u>Any potential for adverse effects on adjoining or adjacent properties and the effectiveness of any mitigation measures proposed</u></p> <p>(c) <u>Any adverse effects resulting from increased traffic generation</u></p> <p>(d) <u>Whether the activity is in keeping with the character of the surrounding area</u></p>

21.1.6 Commercial Zone

	Commercial Zone Assessment Criteria	
(new)	<u>Residential Based Visitor Accommodation</u>	<p>(a) <u>Whether the site contains an adequate area of land which will enable the effects of the activity to be contained on the site</u></p> <p>(b) <u>Any potential for adverse effects on adjoining or adjacent properties and the effectiveness of any mitigation measures proposed</u></p> <p>(c) <u>Any adverse effects resulting from increased traffic generation</u></p> <p>(d) <u>Whether the activity is in keeping with the character of the surrounding area</u></p>

Appendix T1 – Minimum Parking, Loading and Unloading Requirements

Activity	Car Parking	Loading
<u>Residential Based Visitor Accommodation</u> [3/1 and 7/1]	<u>1 space per every three persons to be accommodated with a minimum of 2 spaces per dwelling.</u>	=